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Slovakia

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Situation report on the protection of Human Rights in the Slovak Republic for the purposes of the 3rd round of the UN Human Rights Council Universal Periodic Review

I. Preparation of the report at the national level

1. The report was drawn up by the Ministry of Foreign and European Affairs of the Slovak Republic (MFEA SR) based on documents from the competent ministries and institutions in accordance with the guidelines contained in the UN Human Rights Council (UNHRC) Decision 17/119. The report was the subject of a review by the Government Council of the Slovak Republic for Human Rights, National Minorities and Gender Equality (Government HRC), which acts as an advisory body to the Government of the Slovak Republic (Government) in the field of human rights. The report underwent a due national approval process and was approved by the Government.

II. Developments in the field of human rights protection and promotion in the Slovak Republic following the second round of the Universal Periodic Review

2. In the period since 2014, which follows the second round of the Universal Periodic Review (UPR), the Slovak Republic (SR) has seen many positive changes in the field of human rights.

3. The National Strategy for the Protection of Children from Violence was approved by the Government on 15 January 2014, and at the same time the National Coordination Centre for Resolving the Issues of Violence against Children was established as a separate organisational entity belonging to the Ministry of Labour, Social Affairs and Family of the SR (MLSAF SR). On 11 October 2017, the Government approved an update of the National Strategy for the Protection of Children from Violence.

4. As for prevention and elimination of violence against women, several measures have been adopted in line with the National Action Plan for the Prevention and Elimination of Violence against Women 2014-2019.

5. On 20 November 2014, the Government adopted the National Strategy for Gender Equality 2014-2019 and the Action Plan for Gender Equality 2014-2019.

6. On 18 February 2015, the Government approved the National Strategy for the Protection and Promotion of Human Rights in the SR. The Strategy defines 7 priorities within which specific tasks in the field of human rights were formulated: (i) Analysis of the state of human rights in the SR, (ii) Strengthening institutions that promote and protect human rights in the SR, (iii) Education, training and research in the field of human rights, (iv) Selected systemic measures for the field of judicial and other legal protection, (v) systemic measures for preventing and eliminating barriers to achieving true equality and decent life for all population groups, (vi) Adoption of systematic and comprehensive measures against all forms of intolerance, (vii) Full and systematic utilisation of the SR membership of international human rights organisations with a view to improve human rights promotion and protection.

7. As for the issues of racism, xenophobia and antisemitism, two documents were approved by the Government: the Concept for the Fight against Extremism 2015-2019 and the Action Plan for Preventing and Eliminating Racism, Xenophobia and Antisemitism 2016-2018. On 13 January 2016, the Government approved the Action Plan for Preventing all Forms of Discrimination 2016-2019.

8. The amendment to the Act on upbringing and education (Schools Act) of 2015 provides that pupils with special upbringing and educational needs which result only from their growing up in socially disadvantaged backgrounds are not to be enrolled in special education class, and it further provides that such pupils are to be enrolled in mainstream

classes. Subsequently, it provided for the allowance for pupils from socially disadvantaged backgrounds, so that it meets its purpose, i.e. meets the requirements for providing conditions, content, forms and approaches in upbringing and education necessary for the development of pupils' abilities and personalities, and for attaining adequate education and adequate social inclusion.

9. According to the amendment to the Act on Financing Primary Schools, Secondary Schools and School Facilities effective from 1 September 2018 until 31 December 2018, pupils who, for the purposes of the allowance for improving conditions of upbringing and education for pupils from socially disadvantaged backgrounds, qualify as pupils from socially disadvantaged backgrounds also include pupils who are members of households where a household member receives benefits in material need, and their legal guardians can demonstrate this to a school director.

10. The establishment of the Office of the Commissioner for Children and the Office of the Commissioner for Persons with Disabilities was an important and positively assessed change. These offices, which act as specialised offices for rights advocates, were established in the SR by the Act on the Commissioner for Children and the Commissioner for Persons with Disabilities dated 25 June 2015. The so-called Lanzarote Convention, the Council of Europe Convention on Protection of Children against Sexual Exploitation and Sexual Abuse became effective in the SR on 1 July 2016.

11. As part of recasting the civil procedure law, three new codes effective as of 1 July 2016 were adopted: The Code of Civil Dispute Procedure, the Code of Civil Non-Dispute Procedure and the Code of Administrative Procedure. The aim of the new system of procedural rules is to ensure more effective, faster and more cost-efficient proceedings and to create such procedural-legal institutes which will allow us to come as close as possible to the ideal of fast and fair protection of rights and legally-protected interests, assuming a responsible attitude shown by parties to civil proceedings towards court proceedings, and to create conditions for better-quality court decisions and finally, to improve enforcement of rights adjudicated on during court proceedings.

12. The Act on Criminal Liability of Legal Persons effective as of 1 July 2016 introduced direct criminal liability applying to legal persons established for the purpose of committing a crime or otherwise actively engaged in criminal activities which threaten or violate the rights of others (where these are typically cases of exploitation of so-called vulnerable persons, such as women, children, persons from socially disadvantaged backgrounds, foreigners, etc.). The scope of this Act is defined rather broadly, ensuring that an act is treated as criminal according to this Act even when it is so established by an international agreement which was ratified and declared in a manner provided for by the Act and which is legally binding on the SR. Criminal liability of a legal person does not presuppose holding a natural person liable and does not cease upon declaring bankruptcy, entering liquidation, dissolving the legal person or upon initiating receivership, but is transferred onto all legal successors of this legal person, which also applies to unserved sentences.

13. Changes were also made to the Criminal Code (CC) and Code of Criminal Procedure (CP) effective as of 1 January 2017. The aim of the amendment is more effective investigation of crimes of extremism and racially motivated crimes. In view of achieving this aim, the definition of extremist material has been changed. The dictum according to which a material is extremist only if its connection with incitement to hatred, violence and other undesirable phenomena is proven was abandoned. The founding of a movement aimed at the suppression of fundamental rights and freedoms has become a criminal offence, not just its support and promotion, as was the case till now. The amendment also makes the definition of racially motivated crime more precise. In order to classify a criminal offence as racially motivated, actual belonging of an individual or persons to a certain race, nation, nationality or ethnic group will no longer be necessary, instead, their assumed belonging to one of these groups will suffice (identity attributed by the perpetrator). The competence to assess such criminal offences and to make decisions on them has been transferred exclusively onto the Special Criminal Court in Pezinok. All such cases have been entrusted to the Special Prosecution Office. Following the aforementioned provision, the Ministry of Justice of the SR (MJ SR) has also extended the set of expert

sections and fields to include an expert section for the field of extremism, as actual experience shows that its absence has been a hindrance to thorough investigation of these criminal offences. The new expert section called Social Sciences and Humanities is divided into two fields: political extremism and religious extremism.

14. The Crime Victims Act (Victims Act), effective as of 1 January 2018 provides for the rights, support and protection of crime victims, the relationship between the state and entities providing assistance to victims, and for financial compensation for victims of deliberate violent crime. It introduces the concepts 'victim', 'particularly vulnerable victim', 'secondary and repeated victimisation' and 'domestic violence crimes' into the legal system. Every person who claims that he or she is a crime victim is considered a victim under this Act until it is proven otherwise or unless it is an apparent case of abuse of the status of victimhood, regardless of whether the perpetrator of the crime has been identified, arrested, faces prosecution or has been convicted. The rights granted by this Act are exercised without any discrimination based on sex, religion or belief, race, belonging to a nationality or ethnic group, health status, age, sexual orientation, colour, political or other opinion, ethnic or social origin, wealth or other status. Entities which, by virtue of their authority or activities, influence or may influence the status or the situation of a victim shall treat victims considerately, professionally, with respect and, as far as possible, charitably, while taking into account their age, sex, health status, including mental health, and mental maturity in a manner which avoids increasing the harm caused to the victim by the crime, as well as secondary victimisation. The Act grants victims the right to be provided professional assistance according to their specific needs and to the extent appropriate to the harm caused by the crime, especially by being provided an adequate explanation of information, legal assistance to exercise their rights, psychological support to lessen the effects of the crime, counselling regarding the risk and prevention of repeated victimisation, intimidation and retaliation. A particularly vulnerable victim has, under the conditions set out in the Act, the right to be provided free assistance, professional psychological emergency intervention, emergency accommodation in a crisis care home, if a particularly vulnerable person faces a direct risk to life or health. A victim also has the right to be protected against secondary or repeated victimisation.

15. The adoption of the Victims Act also resulted in amending the provisions of CC laying down a special motive (§140). In the case of selected criminal offences, having the characteristics of a special motive warrants the use of heavier sentences. The previous provisions related to special motive in §140e established that a criminal offence is committed out of a special motive if it is committed out of hatred towards a group of persons or an individual for their actual or assumed membership of a race, nation, nationality, ethnic group, for their actual or assumed origin, colour, sexual orientation, political opinion or religion. The amendment to the CC also added sex to the definition of a reason for hatred. Changes to the CP extended the principles of criminal proceedings, introduced new provisions for informing obligations in relation to an aggrieved person and witness, strengthened the position of an aggrieved person (victim) in criminal proceedings and laid down the conditions of conducting interrogation taking into account the needs of victims, especially children, and finally, restricted the use of the instrument of confrontation.

III. Implementation of recommendations addressed to the Slovak Republic as part of the second round of the universal periodic review

16. In the second round of the UPR the SR received 146 recommendations, rejecting 13 and only partially rejecting 5. As the individual parts of the report presented below imply, the SR is implementing all the other recommendations. The recommendations are grouped into chapters according to the topic areas they cover.

A. Fight against racism and extremism and racially motivated crimes (recommendations No. 36, 40, 42, 44, 45, 46, 48, 49, 50, 51, 55, 57-61, 63, 64, 66, 67, 68, 69, 92-96, 122)

17. Crimes of extremism are: the crime of establishing, supporting and promoting a movement leading to the suppression of fundamental rights and freedoms, expressing affinity to a movement leading to the suppression of fundamental rights and freedoms, producing extremist materials, keeping extremist materials, denying and approving of the holocaust, the crimes of political regimes and crimes against humanity, defaming a nation, race or belief, inciting hatred towards a nationality, race or ethnic group, apartheid and discrimination against a group of persons, and crimes committed out of hatred towards a group of persons or an individual for their actual or assumed membership of a race, nation, nationality, ethnic group, for their actual or assumed origin, colour, sex, sexual orientation, political opinion or religion. In the case of certain crimes, the Act states that a heavier sentence shall be used if a perpetrator commits one of these crimes as a public figure.

18. On 1 January 2017, the CC introduced a new fact in issue §424a – Apartheid and discrimination against a group of persons, which transferred discrimination from civil law to criminal law.

19. On 1 January 2017, the agenda of extremist crimes was taken over by the Special Prosecution Office of the General Prosecutor's Office of the SR (Special Prosecution Office). The fact that this criminal law is implemented directly by a GP SR testifies to the level of public interest in detecting and punishing racially motivated crimes. In 2016, 20 known perpetrators of reported crimes were being prosecuted by the prosecution, with the number of accused persons being prosecuted by the Special Prosecution Office reaching 33 on 1 November 2017. In addition to performing direct prosecution oversight of preparatory proceedings to ensure their lawfulness is maintained, the prosecutors of the Special Prosecution Office also participate in preparing OSCE training programmes on hate crimes for prosecutors and judges, as well as for members of the Police Force of the SR (PF).

20. The amendment to the CC and the CP, effective from 1 January 2017, resulted in changes aimed at more effective investigation of racially motivated crimes. The amendment also made the definition of racially motivated crime more precise. In order to classify a criminal offence as racially motivated, actual belonging of an individual or persons to a certain race, nation, nationality, ethnic group, etc. will no longer be necessary; instead, their assumed belonging to one of these groups will suffice (identity attributed by the perpetrator). In general, if a perpetrator's hatred towards his or her victim is due to actual or assumed identity of the victim under the provision on special motive, (§140e), this is deemed as a circumstance warranting the use of a heavier sentence.

21. On 5 March 2014, the General Prosecutor of the SR issued an instruction to modify the procedure followed by prosecutors authorised to implement the agenda of racially motivated crimes, crimes of extremism and spectator violence. The instruction is published on the GP SR website and is known to the general public. Annual work meetings organised by the GP SR also helped increase the level of professional competence of prosecutors working in the assessed field. Their purpose was to inform prosecutors of the current problems of application practice, as well as of significant court decisions in the field of racially motivated crimes, crimes of extremism and spectator violence.

22. The positions of senior officer for work in communities have been set up at the section for socially excluded groups at local police force departments within the PF since 2003. There are currently 290 such positions at 117 local police departments of the PF.

23. The Ministry of Interior of the SR (MI SR) launched the campaign of a project co-financed by the European Commission called Effective Monitoring, Investigation and Countering of Violent Extremism in Cyberspace (EMICVEC) consisting of several stages:

(a) "Let's not allow Slovakia to turn brown": On 9 September 2016, the online editions of several daily newspapers were released in old brown colour to mark the occasion of the Holocaust and Racial Violence Victims Commemoration Day, serving as a

reminder of the role of the media in shaping public opinion and in breaking down stereotypes in how minorities are perceived;

(b) The "Protinenávisti.sk" (against hatred) website: contains advice and tools on how not to be defeated by "majority opinion", as well as answers to the most common hoaxes and myths about minorities.

24. In order to fight extremism and following the changes of the criminal codes, the National Counter-Terrorism Unit was created within the competence of the National Criminal Agency of the Presidium of the PF in 2017 consisting of 4 branches, Bratislava, the West, the Centre and the East, in addition to the Extremism Screening Centre. Staff at the Extremism Screening Centre of the National Counter-Terrorism Unit actively monitor extremist organisations in the entire cyberspace. The Extremism Screening Centre performs all tasks contained in The Concept for the Fight against Extremism for the 2015–2019 period.

25. The PF pays attention to each reported case of violence, reviews each case individually and implements it according to the applicable legislation. Enshrined in §1 CP is a general obligation of law enforcement authorities and courts to proceed at each individual stage of criminal proceedings in such a way as to fulfil the subject of the law, i.e. to adequately detect criminal offences and to justly punish perpetrators on the one hand, and to respect fundamental human rights and freedoms of physical persons and legal persons throughout proceedings on the other. Prompt, impartial and efficient investigation is one of the basic principles of criminal proceedings.

26. The Sered' Holocaust Museum was opened in the town of Sered' in 2016 as part of the Slovak National Museum – Museum of Jewish Culture, involved in educational activities and programmes aimed at preventing expressions of antisemitism, racism, extremism a radicalisation in the society.

27. The Museum of the Slovak National Uprising in Banská Bystrica implements an educational programme entitled "Ethnic Cleansing, Genocide and Racial Intolerance in History", which also reflects on modern expressions of racism, Neo-Nacism and xenophobia.

28. Implementation of the first part of the Theatre against Extremism project, organised by the Slovak National Theatre in 2016 in cooperation with the Bratislava Self-Governing Region, was a major project in the fight against discrimination and racism. The aim of the project was to create two mini stage plays with the topic of racism, extremism, holocaust, totalitarianism, and to draw young theatre-goers' attention to humanity, humanism, democracy, tolerance and knowledge of historical context.

B. Fight against human trafficking and assistance to victims (recommendations No. 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86)

29. The Information Centre for Combating Trafficking in Human Beings and Crime Prevention of the MI SR (IC MI SR), the Section for Crime Prevention of the Office of the Minister of the Interior (SCP OMI) and Departments of Communication and Prevention at Regional Directorates of the PF deal with preventive activities focused on the fight against human trafficking. The National Unit for Fighting Illegal Migration at the Office of the Border and Foreign Police of the Presidium of the PF (NUFIM) is a specialised unit dealing with detecting and investigating crimes of human trafficking since 1 July 2013. Since the inclusion of the issues of human trafficking in the structure of the NUFIM, the SR has seen a gradual increase in the number of cases of human trafficking, in the number of initiated criminal proceedings, as well as an increased number of identified victims of human trafficking and criminals convicted of these crimes.

30. The implementation of campaigns focused on preventing human trafficking continued in the 2014–2017 period. A schedule of training courses was created, focusing on increasing the level of professional competence of both government and non-government entities. Staff at IC MI SR give lectures at schools, and for children in children's care homes, who are a group at risk in terms of human trafficking. The MI SR also launched the

GIFT BOX Slovakia – People Are Not for Sale campaign, and organised a film festival to mark the occasion of the European Day Against Human Trafficking, where a collection of short films presented forms of modern slavery. The SR also participated in the "HESTIA – Preventing Human Trafficking and Sham Marriages – a Multidisciplinary Solution" project, financed by the EU. To mark the occasion of the European Day Against Human Trafficking, the SCP OMI has been organising the "Marathon against Human Trafficking" since 2015, intended for secondary school students, who are shown the most common forms of exploitation in the SR (sexual exploitation, forced labour, forced begging) through short stage plays.

31. The IC MI SR is in charge of the Programme of Support and Protection for Victims of Human Trafficking. A victim is understood as citizen of the SR, an EU citizen or a citizen of a third country who is justifiably suspected to have become a victim of human trafficking in the SR. The aim of the programme is to provide assistance to human trafficking victims, ensure protection of their fundamental human rights, freedoms and dignity, and to encourage victims to give witness statements allowing law enforcement authorities to detect, prosecute and convict perpetrators of human trafficking. Regarding the implementation of the programme, the MI SR has signed contracts on providing assistance to human trafficking victims with non-governmental organisations, the Slovak crisis centre DOTYK and the Slovak Catholic Charity. The NUFIM cooperates with the International Organisation for Migration in Bratislava as necessary.

32. The procedure for identifying victims in the SR and their possible inclusion in the programme is set out in the National Referral Mechanism. The main objective is to ensure respect for victims' human rights and effective availability of services to be provided to them. As its secondary effect, it may help develop national policies and procedures related to victims, such as the legislation applied to the legalisation of their stay and resettlement, their compensation and provision of protection. This Mechanism institutionalises cooperation between government and non-government entities. Its structure at the highest level consists of the national coordinator for the field of human trafficking, representatives of government authorities, representatives of local authorities and non-governmental/international organisations in the Expert Group for the Field of Human Trafficking, as well as ad hoc working groups dealing with specific problems concerning victims. Any government authority entity, or an international or non-governmental organisation, as well as the victim himself can identify a potential victim by calling the National Helpline for Victims of Trafficking in Human Beings at +421 800 800 818.

33. The National Programme for Combating Human Trafficking for the 2011-2014 period and the National Programme for Combating Human Trafficking for the 2015-2018 period contain the National Action Plan for Combating Human Trafficking. The objective of the Programme for the 2015-2018 period is to ensure a comprehensive and effective fight against human trafficking that supports the development of coordinated activities of all stakeholders to reduce risks and prevent crimes of human trafficking, while creating conditions for providing assistance to human trafficking victims and for ensuring protection of their human rights, freedoms and dignity, taking account of gender-related aspects.

34. Based on the requirements of application practice, the internal procedure for child social and legal protection institutions and social probation institutions in applying measures for victims of human trafficking is laid down in the internal standard "Implementation of Measures of Socio-legal Protection of Children and Social Care for Victims of Human Trafficking – Guidelines and Recommended Procedure No. 6-3/2016", effective from 1 November 2016. In working with human trafficking victims, an authority of socio-legal protection of children and social care proceeds according to the Family Act, which imposes an obligation upon the authority, as part of measures to be applied, to apply or ensure the application of professional methods to assist children or adult physical persons who were victims of human trafficking. When applying these measures, an authority of socio-legal protection of children and social care cooperates with the police, courts, schools, municipalities, accredited entities, health institutions, and with other legal and physical persons engaged in this field.

C. Functioning of courts (recommendations No. 87, 88, 89, 90, 91)

35. The MJ SR takes measures towards strengthening an independent judicial system. Changes were introduced through the amendment of the Act on Judges and Assistant Judges, effective from 1 July 2017, whose aim is a faster and well-functioning judiciary.

36. The Judicial Council of the SR is a constitutional body of judicial legitimacy. The amendment to the Act on Judges and Assistant Judges resulted in a change regarding nominations of members of the Judicial Council by the government, the parliament and the president. These should typically nominate a person who is not a judge. A balance between judges and non-judges in the Judicial Council and ensuring its apolitical nature is one of the conditions of proper functioning of the Judicial Council and, ultimately, the entire judiciary.

37. Other changes include new legislation introducing and specifying the process of selecting judges. The purpose of this change is to eliminate the slow process of filling vacant judges' positions. It introduced so-called collective selection processes for filling vacant judges' positions. They are based on the principle of regions and are conducted in all eight regions of the SR on the same day. The outcome of a selection process results in a list of candidates for judges' positions who will be ready to fill vacant judges' positions after undergoing the required checks performed by the National Security Authority and after completing preparatory training. This measure will allow faster and more flexible replacement of judicial personnel capacities at individual courts, which can ultimately shorten court proceedings. Collective selection processes will take place at least once a year. The first collective selection process took place on 27 November 2017 in Bratislava.

38. Evaluation of the work of judges has also undergone changes. Judges will now be evaluated by professional evaluation committees composed of judges or emeritus judges. A committee from one region will evaluate judges from another region. Evaluations of judges will be published, with repeated negative evaluations still representing serious disciplinary misconduct, as three consecutive negative evaluations may result in disciplinary action against the given judge with the possibility of cancellation of his position.

39. Oversight performed by the Judicial Council has been introduced for disciplinary proceedings against judges to ensure their smooth progress. The Judicial Council has been authorised to act if delays in disciplinary proceedings occur. The common goal of the aforementioned changes is to achieve an independent and well-functioning judiciary.

40. Based on an agreement signed between the SR and the Council of Europe, the subject of which is an audit of the Slovak judiciary to be performed by CEPEJ (The European Commission for Efficiency of Justice) as part of the "Efficiency and Quality of the Slovak Judicial System" project, an analysis of the Slovak judiciary has been underway since April 2017. The subject of the agreement also includes proposals for addressing identified shortcomings, assistance in developing an analytical centre to be set up at the MJ SR and introduction of court management at selected courts. Using objective criteria, the cooperation project with CEPEJ should arrive at a "diagnosis" of the Slovak judiciary and help address shortcomings in an effective way. The outcome should be an efficiently functioning judicial system that will better serve its citizens.

D. The right to work and to fair and satisfactory working conditions (recommendations No. 102, 103, 104, 105)

41. The right to access to employment is provided for in the Act on Employment Services. A citizen has the right to choose employment freely and work anywhere in the SR, or can choose to work abroad. In accordance with the Labour Code women and men are entitled to the same pay for the same work or for work of the same value. Under the Act on Equal Treatment in Certain Areas and Protection against Discrimination (Anti-Discrimination Act), sexual harassment at workplaces is prohibited.

42. The Government has for a long time strived to protect and ensure decent working conditions meeting European standards. In order to protect decent work conditions, it has for a long time pursued an adequate minimum wage increase, which helps increase living

standards, contributes to the fight against poverty and helps raise overall salary rates within the national economy. As part of providing employment services in accordance with the Act on Employment Services, the priority is to respond to the needs of disadvantaged groups of job candidates on the labour market. The problem of addressing long-term unemployment is the focus of the Action Plan for Strengthening the Integration of the Long-Term Unemployed into the Labour Market in the SR, approved by a resolution of the Monitoring Committee of "Human Resources Development" Operational Programme (HR OP) for the 2014–2020 programming period of 25 November 2016. The Act on Social Economy and Social Enterprises approved by the Government on 10 January 2018 is a key reform for strengthening the integration of the long-term unemployed into the labour market. The adoption of the cross-cutting legislation will create a favourable environment for supporting social enterprises in the social economy, as well as social innovations.

43. The MLSAF SR continuously adopts measures to reduce the salary gap between men and women. One of the most significant ones is an outreach campaign highlighting the ever-shrinking salaries paid to women, in addition to offering advice on the www.kedvyrastiem.sk (when I grow up) website on how to protect against discrimination on the labour market. Another significant measure to reduce the gender pay gap is a gradual minimum wage increase, as women find themselves in low-income jobs more often than men. Another important instrument for increasing employment and income levels for women was the national project "Family and Work" focused on balancing family and work life and on work opportunities for mothers with small children.

44. As for the fight against discrimination, an important and indispensable role is played by social partners by promoting equal treatment, for example through monitoring workplace practices, access to employment, professional training and career progression, as well as through monitoring collective agreements, codes of conduct, research, or through sharing experience and best practice. In line with the principle of equal treatment, discrimination on the grounds of marital or family status, colour, language, political or other opinion, engagement in trade unions, national or social origin, disability, age, wealth, gender or other status is prohibited.

45. The MLSAF SR is preparing a nationwide survey of the occurrence of sexual harassment at workplaces. Results should be available in 2018. Labour directorates monitor discrimination on the labour market and review cases of possible discrimination. The preparation of the Methodology for Labour Inspectorates to ensure effective monitoring of cases of discrimination is underway.

46. 13 measures were implemented based on the action plan for the field of employment in 2016. In 2017, in order to improve incentivising measures for disadvantaged groups, the Plenipotentiary of the Government for Roma Communities signed, on behalf of the MI SR, the Memorandum of Understanding and Cooperation in the Field of Increasing Employability and Employment of Members of Marginalised Roma Communities with the Central Office of Labour, Social Affairs and Family of the SR. One of its objectives is cooperation in mobilising engagement of individual target groups form marginalised Roma communities in various national projects with a special focus on the projects financed from priority axis 2 HR OP – Initiative to Support Youth Employment. During the 2016–2017 period, the measures were implemented using a wide range of measures at the section for education by looking for new ways of supporting youth employment, by means of programmes supporting entry onto the labour market, re-training, and by creating conditions for disadvantaged job candidates to enter the labour market through social economy entities.

E. The right to an adequate standard of living (recommendations No. 106, 107, 137)

47. The human right to safe drinking water and hygiene is implemented in the SR on the basis of four conditions defined at the UN level: affordability, sufficiency, quality and accessibility. The SR has a sufficient number of water resources used for supplying the

population with drinking water from the public supply network. The share of population supplied with drinking water is 92.6%.

48. As part of the programming process for the 2014–2020 period, the HR OP includes definitions of specific measures in the field of housing policy for improving access to drinking and non-potable water for municipalities with marginalised Roma communities.

49. The Quality of Environment OP includes support for restoring key water treatment plants and bolstering their capacity. The support from the Environmental Fund leads to gradual additional construction of water supply networks in the whole country, with further support provided to address local problems with the quality of supplied water.

50. The Rural Development Programme of the SR for the 2014–2020 period also supports the construction, restoration, modernisation and completion of water supply networks along with well deepening in villages.

51. The upcoming call by the MI SR within the HR OP focusing on completing the basic technical infrastructure of urban Roma settlements, as well as another call focusing on Improved Forms of Housing for Municipalities with Marginalised Roma Communities with Elements of Transitional Housing are further instruments to implement the measures aimed at ensuring access to drinking water.

52. In 2017, within the scope of the effort to ensure protection of public health in marginalised Roma communities, the MI SR announced a call focused on constructing or completing a waste separation and municipal waste collection system, and on work to clear illegal landfills, including the elimination of the adverse effects of illegal landfills.

53. Supporting incomes, access to employment, education and integration into the labour market, access to public services and development of human capital, in the case of individuals and socially excluded groups or groups at risk of social exclusion on the one hand, and in the case of policy-makers and service providers on the other, are considered to be the key measures used by the SR to ensure sustainable reduction of poverty and elimination of social exclusion. The Government has for a long time strived to protect and ensure decent working conditions meeting the European standards. In order to protect decent work conditions, it has for a long time pursued an adequate minimum wage increase, which helps increase living standards, contributes to the fight against poverty and helps raise overall salary rates within the national economy. As part of providing employment services in accordance with the Act on Employment Services, the priority is to respond to the needs of disadvantaged groups of job candidates on the labour market. The problems of addressing long-term unemployment are the focus of the Action Plan for Strengthening the Integration of the Long-Term Unemployed into the Labour Market in the SR, approved on 25 November 2016.

F. The right to health (recommendations No. 108, 109, 110, 111, 112, 113)

54. The current legislation in the SR allows healthcare professionals to apply a conscientious objection. Applying the conscientious objection allows a person to fully exercise the right to freedom of conscience and personal belief regarding the protection of an unborn child by a healthcare professional. It is laid down in the Act on the Provision of Healthcare Services and the Act on the Healthcare Providers, Health Workers and Professional Organisations in the Health Service. The right of a healthcare professional to apply the conscientious objection is further explicitly provided for in the Code of Ethics for Healthcare Professionals, which forms Annex 4 to the Act on Healthcare Providers, Health Workers and Professional Organisations in the Health Service.

55. The problems of reproductive health are also dealt with by the National Programme for the Care of Children and Adolescents, whose aim is to ensure optimum care for pregnant women and newborns. It includes both the effort and successful implementation of measures to reduce maternal mortality and morbidity rates, as well as improvement of the health status of new-born infants by providing equal access to health care, including family planning with an emphasis on Roma communities and other disadvantaged population

groups. In order to protect the health and life of unborn children, the SR promotes the use of *in utero* medical procedures.

56. All women in Slovakia have sufficient access to contraception methods. According to the data from the database of registered medicines at the State Institute for Drug Control, there are currently 387 types of hormonal contraceptives and 13 types of topical contraceptives registered in the SR that healthcare providers can prescribe to women. These contraceptives along with other forms of contraception are not covered by public health insurance, although in cases where their use is medically justified, they may be covered by a healthcare insurer from public health insurance. Condoms are freely available for sale at retail outlets.

57. As part of its efforts to improve access to healthcare gynaecology and obstetrics wards for marginalised Roma women, the Ministry of Health of the SR (hereafter as "MH SR") is preparing a pilot scheme within the Healthy Communities project to create health education assistant positions in hospitals (i.e. at gynaecology and obstetrics wards). Health education assistants are all employees from among the Roma population who are continuously educated in the field of healthcare and reproductive health. They are a key element in breaking down social barriers to providing healthcare to Roma minorities. Health education assistants will identify and link special needs of Roma women on the hand with the requirements of medical staff on the other, with an emphasis on an intercultural approach. This will allow the monitoring of possible signs of segregation of Roma women in providing healthcare.

G. Abuse of power by a public official and police assaults (recommendations No. 13, 57, 58, 59, 60, 94, 95, 96)

58. Reports of alleged inhumane treatment or use of violence against arrested, detained or accused persons by members of the PF are duly examined and investigated by an investigator or an authorised member of the PF of the Office of Inspection Service of the Section of Control and Inspection Service of the MI SR regardless of sex, race or ethnic origin of the aggrieved persons.

59. Oversight of preparatory proceedings to ensure their lawfulness before instituting a prosecution is provided by a prosecutor. Every decision made by an authorised member of the PF in a given matter can be examined by prosecution.

60. Resolution No. 650/2015 of the Government set the following task: "to pay sustained attention to the activities of the Section of Control and Inspection Service of the MI SR in its investigation of reports submitted by arrested, detained or accused persons regarding injuries which they claim were caused to them by members of the PF, to record information about such problems in reports on the criminality of members of the PF, and to submit it for negotiations of the Government annually by 30 April". On 20 March 2017, based on the task it received, the Section of Control and Inspection Service of the MI SR produced the "Report on the Criminality of Members of the PF in 2016".

61. Members of the PF are regularly retrained on the provisions of the Act of the PF, the Regulation of the Minister of the Interior of the SR on the Code of Ethics for Members of the PF, as well as the European Convention on the Prevention of Torture and Inhuman or Degrading Treatment or Punishment. Increased attention is also paid to the behaviour of members of the PF during service interventions against persons and measures are taken to address the shortcomings and causes of their occurrence. Based on the Memorandum of Understanding signed between the MI SR and the OSCE ODIHR on 14 September 2017, the MI SR covers the implementation of ODHIR education in the context of the SR for members of the PF regarding hate crimes.

62. In its manifesto for the 2016–2020 period, the Government made a commitment to advance the institutional strengthening of the control activities of armed police units and the creation of conditions to set up a dedicated section of the prosecution that will oversee the prosecution of members of the PF for committing criminal offences. As for internal order and security, it also made a commitment to strengthen the authority of the Defence and

Security Committee of the National Council of the SR in terms of oversight to ensure members of armed units maintain the lawfulness of their actions.

63. The SR is regularly visited by the European Committee to prevent torture and inhuman or degrading treatment or punishment, with the focus on examining the treatment of imprisoned persons in order to strengthen their protection against torture or degrading treatment or punishment.

H. The rights of persons belonging to national minorities (recommendation No. 116, 117, 118, 119, 120)

64. In 2015, the Office of the Plenipotentiary of the Government for National Minorities (OPGSRNM), in cooperation with the Committee for National Minorities and Ethnic Groups and with the participation of representatives of national minorities, prepared a draft of the Action Plan to Protect the Rights of Persons Belonging to National Minorities and Ethnic Groups for the 2016–2020 period. The objective identified in the Action Plan is to ensure an efficient, transparent and reliable system for protecting and promoting the rights of people belonging to national minorities and ethnic groups, which includes ensuring more robust institutional resources for the system. This objective was developed into seven operational objectives. The first operational objective will include, among other measures, performing an analysis of the possibilities to use temporary countervailing measures in preventing discrimination against persons belonging to national minorities and ethnic groups. A methodology for adoption of temporary countervailing measures in the field of the rights of national minorities and ethnic groups will be designed, including the creation of standards, models and measures for the implementation of temporary countervailing measures.

65. The OPGSRNM promotes elements of informal education within the individual sub-programmes of the Culture of National Minorities Subsidy Programme. For example, in 2017, the programme supported research in mother tongue teaching, thematic events for primary and secondary schools students focused on improving the standard of using the language of the Hungarian national minority, as well as the organisation of a symposium in the field of sociolinguistics, mother tongue methodology and translatology focused on language education in a national minority language.

66. The Committee for National Minorities and Ethnic Groups is a permanent body of the Government HRC. Among other things, it acts as a consulting body for matters related to the participation of national minorities and ethnic groups in the conduct of affairs related to national minorities and ethnic groups under Article 34, paragraph 2c, of the Constitution of the SR. 13 national minorities are represented in the Committee (Hungarian, Roma, Ruthenian, Czech, Ukrainian, German, Polish, Moravian, Russian, Bulgarian, Croatian, Jewish and Serbian).

67. On 25 August 2016, the Ministry of Education, Science, Research and Sport of the SR (MESRS SR) approved the new Framework Curriculum for primary schools with a national minority language as the language of instruction, valid from 1 September 2016. It increases the number of lessons for the national minority language and literature subject in primary education from 21 to 24, with the number of lessons dedicated to a national minority language up from 5 to 8.

68. The amendment to the decree of the Government which lays down the details of the breakdown of financial resources from the national budget for schools and school facilities, effective from 1 January 2018, increased normative funding for primary schools with a language of instruction other than Slovak from 108% to 113% of the corresponding normative funding, and introduced new normative funding for primary schools where a national minority language is taught at 104% of the corresponding normative funding.

69. In 2017, the MESRS SR launched the IKATIKA pilot project. The aim of the project was to provide access to digital educational content for kindergartens and grade zero of primary schools. The work included organising training courses, publishing a methodological handbook and examining bilingual digital technologies and interactive

methods in education. 30 kindergartens and primary schools with children from mixed language backgrounds and children from socially disadvantaged backgrounds were involved in the project. Due to its success, the MESRS SR plans to continue with the project.

70. The subsidy programme of the Office of the Government entitled the Culture of National Minorities, with the Plenipotentiary of the Government for National Minorities acting as its guarantor, has been an important instrument of supporting activities to eliminate and prevent discrimination till January 2018. The funds of the subsidy programme were mainly used to support the preservation, expression, protection and development of the identity and cultural values of national minorities, education and training regarding the rights of national minorities, and to support interethnic and intercultural dialogue, as well as understanding between the national majority and national minorities and ethnic groups.

71. The Act on the Fund for the Promotion of the Culture of National Minorities establishing a new public institution became effective on 1 July 2017. The aim of the project was to transform the previous subsidy system of the OG SR and create an institution which ensures effective and systematic promotion of cultural and arts activities of all national minorities in the SR, which is administratively independent of central government authorities, and represented by experts from all national minorities. The law lays down the calculation of the proportion of funding allocated to the individual expert boards expressed as a percentage share. The purpose of the Fund is the preservation, expression, protection and development of the identity and cultural values of national minorities, education and training regarding the rights of national minorities, and the development and support of intercultural dialogue and understanding between citizens belonging to the Slovak majority and citizens belonging to national minorities and ethnic groups in Slovakia.

72. The Culture of Disadvantaged Groups subsidy programme, which allows the fulfilment and development of the needs of persons with disabilities and otherwise disadvantaged population groups, is an effective instrument of promoting social inclusion and cohesion that has worked for a long time. The sum of EUR 375,000 was distributed every year during the 2014-2016 period as part of the Culture of Disadvantaged Groups subsidy programme, whose guarantor is the Ministry of Culture of the SR. The sum of EUR 980,000 has been available for allocation within the Culture of Disadvantaged Groups subsidy programme since 2017.

I. Implementation of the Strategy of the Slovak Republic for the Integration of Roma until 2020 (recommendations No. 121, 122, 123, 124)

73. On 22 February 2017, the Government adopted new, updated action plans for the Strategy of the SR for the Integration of Roma until 2020 for the 2016-2018 period for the fields of education, employment, health, housing, and a new action plan for the field of financial inclusion. On 13 September 2017, the Government approved new action plans of this strategy for the fields of non-discrimination and the fields of approaches directed at the majority society – Initiative of Roma Integration through Communication. The amount of public funds planned for 2017 for these action plans totals EUR 136,171,438.42.

74. The system of financial instruments which secures funds from government loans was used to complete a call providing financial instruments at the section of transitional housing and micro-loan programmes for DIY construction of housing, and to launch a national project called "Support of the Settlement of Land Ownership in Marginalised Roma Communities". As for legislation, there was an amendment to the Act on Land Conversion, Settlement of Land Ownership, Land Register Offices, the Slovak Land Fund and Land Communities, and an amendment to the Decree on Determining the General Value of Property. Individual national projects implemented by the Office of the Plenipotentiary of the Government of the Slovak Republic for Roma Communities (OPGSRRC) within the European solidarity assistance co-financing system have a direct impact on creating employment opportunities for the Roma, including those engaged in

public service and in the implementation of these projects, and also track integration and the process of inclusion. The national project "Monitoring and Evaluation of Inclusive Policies and Their Impact on Marginalised Roma Communities" focuses on a comprehensive system of monitoring and evaluation of inclusive policies. A decision based on a previous call entitled "Support of a Comprehensive System of Monitoring, Evaluation and Data Collection on Inclusive Policies Focused on the Socio-Economic Living Conditions of the Roma Population", particularly of marginalised Roma communities, has been effective since 23 October 2017. The last monitoring report for 2016 was approved by the Government in 2017. In accordance with Resolution No. 87 of the Government of 22 February 2017, the evaluation of the strategy is scheduled to be completed by 30 June 2019 and by 30 June 2021. This system also contains plans of comprehensive engagement of non-governmental entities in the evaluation process, in the same way this element was also engaged in the preparation process from the outset and is engaged in the process of implementing the strategy.

75. Education of members of the PF in the field of human rights and elimination of expressions of extremism with respect to the Roma national minority is in the plan of the main tasks of the MI SR for 2018 and in the action plan for non-discrimination, approved by the Government in 2017. The OPGSRRC cooperates in this field with the Council of Europe Directorate General for Roma Issues and with ODIHR OSCE.

76. The educational programme called the "Specificities of the Service of a Senior Officer for Work in Communities" was accredited at the Secondary Vocational School of the PF in Košice in 2017.

77. On 14 November 2017, the Minister of the Interior of the SR, in cooperation with the OPGSRRC, issued a measure regarding a working group for addressing the problems of socially excluded groups. This working group will work under the authority of the Vice-President of the PF and will link the key organisational elements of the MI SR and the PF at the section for public administration, the EU solidarity assistance, integration of Roma communities and social work, implementation of national projects, economic and material resources, with the aim to also produce comprehensive solutions in the field of prevention and elimination of the occurrence of hate speech and hate crimes. The objective of the work of OPGSRRC will be to advance substitution solutions in conflict situations if there are negative reactions due to concentrated poverty.

78. In addition to the Implementation of the Strategy of the SR for the Integration of the Roma until 2020, the Conference of Bishops of Slovakia (CBS) set up a separate CBS coordinator position for assisting in pastoral work for the Roma, in order to contribute to eliminating discrimination against any minority, encourage and educate Roma women and men and participate in educating all children without distinction. The Catholic Church in the SR works with marginalised Roma communities and assists in their education and inclusion in the society also through education in financial literacy, reading literacy, health and employment. Through the pastoral work of priests in several hundreds of parishes with a high proportion of Roma population, they carry out a whole host of joint activities (pilgrimages, seminars, meetings, network building, expert groups) for the Roma and Slovaks, in order to help eradicate negative stereotypes about the Roma.

J. Access to education for the Roma (recommendations No. 114, 125, 126, 127, 128, 129, 131, 132, 133, 134, 135, 136, 142)

79. The rights established by the Schools Act are guaranteed equally for everyone in line with the principle of equal treatment in education established by anti-discrimination legislation. Roma children and pupils in the school upbringing and education system of the SR have an equal status with the same guaranteed rights as all children and pupils.

80. The Act on Financing Primary and Secondary Schools and School Facilities was amended to ensure better access to kindergarten education for children from marginalised Roma communities. As of 1 January 2018, an allowance is provided to partially cover the costs of upbringing and education of children attending kindergartens within the network of schools who are a year away from commencing compulsory education or are members of

households where a household member receives benefits in material need, and their legal guardians can demonstrate this to a school director. This has extended the category of claimants who qualify for the allowance for the upbringing and education of kindergarten children, as legal guardians are now exempt from contributions to partially cover costs. The aim of this legislation was to eliminate the problems seen in application practice in accepting these children into kindergartens.

81. The MESRS SR provides important support in this field through the European Social Fund on the basis of HR OP, which is focused on supporting education, employment, social inclusion and vulnerable groups on the labour market. The national project called "School Open to All" was launched within the HR OP Education priority axis on 1 February 2016, with planned duration of 46 months and EUR 29,877,073.16 of funds to be allocated. The primary aim of the project is to ensure equal access to quality education and to improve the results and competencies of kindergarten children and primary school pupils by supporting inclusive education and by enhancing professional competencies of pedagogical and vocational staff. The creation of local desegregation plans at 130 primary schools is an important part of the project. Further, on 30 December 2016, as part of the Education priority axis within the HR OP, a demand-focused call was announced for applications for a non-repayable financial contribution called "More Success at Primary School", with EUR 50 million available for allocation. The call is aimed at supporting inclusion at primary schools through the work of teaching assistants, pedagogical staff and inclusion teams (consisting of a school psychologist, special education teacher and social teacher).

82. With the introduction of an amendment to the Schools Act, the state's control mechanism for upbringing-related counselling and prevention has become stricter. Subsequently, in the academic year 2015–2016, the State School Inspection (SSI) carried out 12 thematic inspections to examine the standard of professional services at school facilities providing upbringing-related counselling and prevention services. The MESRS SR received a recommendation from the chief inspector of schools in accordance with the applicable regulations, following which it made a decision to exclude Dad, Mum and Me – the Private Centre for Special Pedagogy Counselling with its registered office at Uzovské Pekľany 67, along with its External Facility in Prešov, part of Dad, Mum and Me – the Private Centre for Special Pedagogy Counselling with its registered office at Uzovské Pekľany 67, from the network of schools and school facilities as of 31 May 2016. The MESRS SR also excluded the Private Special Primary School with registered address at Rokycany 40, along with the following external facilities belonging to the school: External Office at Rokycany 46, part of the Private Special Primary School with its registered office at Rokycany 40, External Office in Šarišské Michaľany, part of the Private Special Primary School with its registered office at Rokycany 40, and External Office at Žehňa 22, from the network of schools and school facilities as of 1 September 2017.

83. Due to the restructuring of the diagnostics system, an amendment to the Act on State Administration in Education and Local School Administration effective from 1 September 2017 was adopted. School facilities providing upbringing-related counselling and prevention services will continue to be included in the network of schools and school facilities until 31 December 2018.

84. In 2016, EUR 1,545,037.42 of funds were allocated for measures as part of fulfilling the updated action plan for the field education within the Strategy of the SR for the Integration of the Roma. Likewise, OPGSRRC's subsidy scheme provided a subsidy for the Roma Education Fund to Promote Tutoring and Mentoring foundation. A project proposal of a national project entitled Promotion of Pre-Primary Education of Children from Marginalised Roma Communities, to be implemented by the OPGSRRC, was approved in 2017.

85. In 2018, the system of cooperation between the Plenipotentiary of the Government for Roma Communities and the MI SR includes plans to announce a call for projects to receive a non-repayable financial contribution focusing on the "Provision of Scholarships to Secondary School Students to Raise the Standard of Education among Members of Marginalised Communities", especially the Roma.

K. Settlement of ownership of land under Roma dwellings (recommendations No. 139, 140, 141)

86. In 2017, the Act on Land Conversion, Settlement of Land Ownership, Land Register Offices, the Slovak Land Fund and Land Communities was amended to allow carrying out simple land conversions, including conversions of what was originally agricultural land, with compensation to be offered to its owners either in the form of housing land or money. An amendment to the Decree of the MJ SR on Determining the General Value of Property allows determining the price of land in clustered settlements with dwellings occupied mostly by spatially or socially excluded population groups.

87. The OPGSRRC implemented pilot projects focused on settling property and land ownership. It managed to settle ownership of land where Roma dwellings had been built in the villages of Čierny Balog, Studienka and Tichý Potok. In addition, the Ministry of Agriculture and Rural Development of the SR, State Forests of the SR and the Slovak Land Fund set up a working group focused on settling land ownership and land legalisation.

88. A project called "Promotion of Land Ownership in Marginalised Roma Communities" has been implemented since 2017. The project provides assistance to municipalities in the process of settling ownership of land where clustered settlements inhabited by marginalised Roma communities have been built. The objective is to support the settling of ownership of land under Roma dwellings in Roma settlements focusing on improving hygiene standards in marginalised Roma communities and on systematic reduction of the number of illegal housing with extremely low hygiene standards. The OPGSRRC continues to liaise with the Ministry of Transport and Construction of the SR (MTC SR) in setting up the relevant instruments for territorial planning and for post-completion approvals of constructions in the process of drafting new codes of practice at the section of territorial planning and construction.

89. As for forced evictions, the MTC SR has no knowledge of any construction project proposals that would directly threaten the homes of members of marginalised communities or members of Roma communities in particular, and certainly not in a way that would put them at direct risk of losing their homes. There is no such applicable legal regulation that would permit a construction whose primary purpose is segregation of a certain population group.

90. Those so-called "anti-Roma" walls or fences were not approved by government authorities (the construction office) as segregation walls. If it is shown after the completion of a construction that its existence demonstrably precludes a population group from exercising its statutory rights and freedoms, thereby segregating such a population group, the Slovak legal system allows the affected population group to protect itself by reporting the case to the prosecution or by filing a complaint at a civil court. The affected population group can therefore claim its rights by obtaining a court decision ordering the removal of such a segregative construction.

91. Since 2013, the OPGSRRC has repeatedly launched pilot projects of "DIY Construction of Rental Family Housing". The aim of creating the system of DIY construction was to achieve greater involvement of the Roma themselves in transforming Roma settlements, which cuts constructions costs. Another anticipated positive result was that the Roma could learn work skills that would increase their employability. These projects mostly involved flats that became municipal property within the system of the Act on Subsidies within the authority of the MI SR, and investment was channelled towards reimbursing the cost of construction materials, testing different models to determine the variation in costs according to the degree of involvement of the Roma in construction. Based on the testing, it was found that the procurement price of such family houses was lower because the cost of DIY labour formed a part of their value, but not a part of their procurement price. In line with the requirements of the Act on Subsidies within the authority of the MI SR, the condition of 10-year project sustainability and disposal prohibition have been built into these pilot projects.

92. In 2016, the Act on Subsidies within the authority of the MI SR allowed the OPGSRRC to begin supporting a project to build systems of transitional housing to aid social mobility and integration of members of marginalised Roma communities.

93. The MTC SR strived to contribute to the protection and promotion of human rights in the field of public access to accessible and affordable housing. The current provisions of Act on Territorial Planning and Building Order and the related legal regulations under the authority of the MTC SR guarantee equality and protection of human rights in the field of construction, housing and state support for all citizens of the SR.

L. Migration and asylum policy (recommendations No. 145, 146)

94. Identification of asylum-seeking minors or minors who have been granted international protection in the SR is verified already during the asylum process. If a minor comes from a country with an ongoing armed conflict, his or her application review process should include verification of whether he was involved in the armed conflict.

95. It is also possible to identify asylum-seeking minors who were involved in armed conflict when assessing a minor's vulnerability in accordance with the Act on Asylum. The MI SR creates suitable conditions for accommodation and care of foreigners in asylum facilities. Suitable conditions are understood as taking appropriate measures to prevent attacks and violence, as well as providing protection to victims of human trafficking.

96. If an asylum seeker is identified as a minor who was involved in armed conflict, members of staff at the Migration Office of the MI SR are professionally trained to work with such a group of minors. Since 2014, the Migration Office of the MI SR has not had any cases of asylum-seeking minors who were involved in armed conflict.

97. Asylum seekers and persons who have been granted international protection are guaranteed various rights in the SR. The MI SR covers the cost of urgent medical care for asylum seekers who do not have public health insurance. The MI SR ensures suitable medical care for asylum-seeking minors who are victims of abuse, negligence, exploitation, torture or cruel, inhuman and degrading treatment or who have suffered from armed conflict (the Act on Asylum). Medical care for persons who have been granted asylum is covered by public health insurance (the Act on Health Insurance). In the case of a foreigner who has been granted subsidiary protection and does not have public health insurance, the MI SR covers medical care provided in the SR to the extent to which it is covered based on public health insurance (the Act on Asylum).

98. Protection and promotion of the rights of foreigners, i.e. migrants, refugees and applicants for international protection, is provided in the SR by the Centre for Legal Aid under the authority of the MI SR and by non-governmental organisations.

IV. Overview of current implementation of the recommendations from the 2nd round of the universal periodic review, submitted in the middle of the review cycle

99. On 17 November 2017, the SR submitted a document to the Office of the High Commissioner for Human Rights a document entitled "The Current State of the Implementation of the Recommendations Addressed to the SR as Part of the 2nd Round of the UPR, Submitted in the Middle of the Review Cycle".

V. Voluntary pledges and commitments

100. The SR has been a member of the UNHRC since 1 January 2018. For this purpose, the MFEA SR, in cooperation with the materially competent ministries and institutions, prepared a document entitled "Voluntary Pledges and Commitments of the SR at the UNHRC for the 2018–2020 Period", approved by the Government on 5 April 2017. The document contains SR voluntary pledges and commitments at the national and international

levels during its membership of the UNHRC. The priorities of the SR membership will be the fight against all forms of racism and xenophobia, promotion of children's rights and promotion of religion or belief and religious tolerance.

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Report of the Office of the United Nations High Commissioner for Human Rights

I. Background

1. The present report was prepared pursuant to Human Rights Council resolutions 5/1 and 16/21, taking into consideration the periodicity of the universal periodic review. It is a compilation of information contained in reports of treaty bodies and special procedures and other relevant United Nations documents, presented in a summarized manner owing to word-limit constraints.

II. Scope of international obligations and cooperation with international human rights mechanisms and bodies[1, 2]

2. Several treaty bodies recommended that Slovakia ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families,[3] the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment[4] and the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence.[5]

3. In 2017, Slovakia submitted its midterm report regarding the implementation of the recommendations made during its second universal periodic review.[6]

4. Slovakia contributed financially to the Office of the United Nations High Commissioner for Human Rights (OHCHR) in 2016, 2017 and 2018.[7]

III. National human rights framework[8]

5. The Human Rights Committee was concerned that the Slovak National Centre for Human Rights had a limited mandate and lacked independence, that there was a lack of transparency surrounding its recruitment procedures and the diversity of its members and staff, and that it had not been provided with adequate resources to carry out its functions.[9] The Committee on the Elimination of Racial Discrimination was concerned that the Centre was not yet in full compliance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles) and continued to be accredited with B status.[10]

6. The Committee against Torture recommended that Slovakia amend relevant legislation with a view to strengthening the mandate and independence of the Centre and bring it into full compliance with the Paris Principles, and provide the Centre with sufficient financial and human resources to enable it to carry out its mandate independently and effectively.[11]

7. The Committee on the Rights of the Child recommended that Slovakia, inter alia, ensure the independence of the institution of the Commissioner for Children with regard to its election process, funding, mandate and immunities so as to guarantee full compliance with the Paris Principles, and ensure adequate and long-term funding for the institution.[12]

8. The Human Rights Committee and the Committee on the Elimination of Racial Discrimination welcomed the adoption of the National Strategy for the Promotion and Protection of Human Rights in 2015.[13]

IV. Implementation of international human rights obligations, taking into account applicable international humanitarian law

A. Cross-cutting issues

Equality and non-discrimination[14]

9. The Human Rights Committee welcomed the adoption in 2013 of amendments to the Anti-Discrimination Act extending the definition of indirect discrimination.[15] The Human Rights Committee and the Committee on the Rights of Persons with Disabilities noted, however, that the Act lacked an explicit definition of multiple discrimination.[16]

10. The Committee on the Rights of Persons with Disabilities recommended that Slovakia amend the Anti-Discrimination Act to include intersectional and multiple discrimination as a form of discrimination, and definitions of the term.[17] The Human Rights Committee recommended that Slovakia adopt measures to adequately address multiple discrimination as a form of discrimination.[18]

11. The Committee on the Elimination of Racial Discrimination noted the prevalence of racial discrimination against different minorities, especially Roma, Muslims and persons of African descent.[19] It was concerned about reported verbal and physical attacks against them,[20] and also that activities by extremist organizations inciting racial discrimination continued.[21]

12. The Committee underlined the limited number of prosecutions and convictions for racially motivated crimes.[22] It remained concerned that court proceedings in cases of racial discrimination had continued to be excessively lengthy, thus having a negative impact on effective access to justice for victims.[23]

13. The Human Rights Committee recommended that Slovakia counter stigmatization of Roma, Muslim and other minorities, take measures to prevent racist attacks, and prohibit any advocacy of national, racial or religious hatred that constituted incitement to discrimination, hostility or violence.[24]

14. The Committee on the Elimination of Racial Discrimination recommended that Slovakia effectively implement the Anti-Discrimination Act[25] and the Action Plan on the Prevention and Elimination of Racism, Xenophobia, Anti-Semitism and Other Forms of Intolerance.[26] It also recommended that Slovakia ensure that participation in and the financing of organizations that incited and promoted racial discrimination were prosecuted, that all racially motivated crimes were investigated and perpetrators prosecuted and punished, and that motives based on race or on skin colour, descent or national or ethnic origin were considered an aggravating circumstance when imposing punishment for a crime.[27]

15. The Human Rights Committee was concerned that the phenomena of hate crime and hate speech in political discourse, in the media and on the Internet against minorities,

notably Roma, Muslims and non-citizens, remained prevalent.[28] The Committee on the Elimination of Discrimination against Women, the Committee on the Elimination of Racial Discrimination and the Committee on the Rights of the Child made similar observations.[29] The Committee on the Elimination of Racial Discrimination recommended that Slovakia adopt effective measures to combat hate speech, and ensure that all incidents of hate speech were investigated and prosecuted and that the perpetrators were punished.[30]

16. The Human Rights Committee was concerned about the increasingly hostile environment against persons on the basis of their actual or perceived sexual orientation, gender identity or expression, which was exacerbated by hostile discourse from political figures.[31] The Committee recommended that Slovakia, inter alia, eradicate all forms of social stigmatization of homosexuality, bisexuality or transsexuality and discrimination, and violence against persons based on their sexual orientation or gender identity.[32]

17. The Committee was concerned that sterilization for both transgender women and men was required for legal gender recognition.[33] The Committee on the Elimination of Discrimination against Women urged Slovakia to abolish the requirement of compulsory sterilization and surgery for transgender women who wished to obtain legal recognition of their gender.[34] The Human Rights Committee urged Slovakia to develop and implement a legal gender recognition procedure compatible with the provisions of the Covenant.[35]

B. Civil and political rights

1. Right to life, liberty and security of person[36]

18. The Committee against Torture urged Slovakia to adopt a definition of torture covering all elements contained in article 1 of the Convention against Torture, and to ensure that penalties for torture were commensurate with the gravity of the crime.[37]

19. The Committee on the Rights of Persons with Disabilities was concerned about inhuman or degrading treatment through the use of physical, mechanical and chemical restraints, and the use of isolation and seclusion for persons with psychosocial disabilities. It recommended that Slovakia discontinue those practices, and reform laws and policies allowing for them.[38]

20. The Committee against Torture and the Human Rights Committee were concerned at allegations of the excessive use of force by law enforcement officials, mostly after apprehension, which might amount to ill-treatment or torture, and also at the low number of complaints, prosecutions and convictions in such cases.[39]

21. The Committee on the Elimination of Racial Discrimination expressed its concern at reports of excessive use of force and ill-treatment by law enforcement officers against ethnic minorities, particularly Roma. It was concerned that raids in Roma settlements were often carried out without arrest or search warrants, that in many cases members of the Roma minority had been injured, and that the majority of those reports were either not duly investigated, or when investigations had been initiated, they had been suspended. The Committee was particularly concerned that an investigation for alleged false accusations had been initiated against the victims of excessive use of force during a raid in a Roma settlement of Budulovská in Moldava nad Bodvou, which could deter other victims from reporting cases of police abuse or excessive use of force.[40]

22. The Committee against Torture recommended that Slovakia eradicate all forms of harassment and ill-treatment by police during investigations, and state at the highest political level that there would be no tolerance for excessive use of force by law enforcement officials, including against ethnic minorities. The Committee recommended that Slovakia effectively investigate all allegations of excessive use of force, including torture and ill-treatment, by law enforcement officials, ensure that those suspected of having committed such acts were immediately suspended from their duties throughout the period of investigation and prosecute them, and if they were found guilty, ensure that they received sentences commensurate with the gravity of their acts.[41] The Human Rights Committee, the Committee on the Elimination of Racial Discrimination and several special procedure mandate holders made similar recommendations.[42]

23. The Committee against Torture and the Human Rights Committee were concerned that investigations into allegations of ill-treatment by police officers were carried out by the Ministry of the Interior.[43] The Committee on the Elimination of Racial Discrimination regretted that its previous recommendations on establishing an independent monitoring mechanism to investigate crimes involving police officers had not been implemented. It urged Slovakia to accelerate the establishment of such a mechanism.[44]

24. The Committee against Torture recommended that Slovakia introduce domestic violence as a specific offence in the Criminal Code, with appropriate sanctions, establish an effective and independent complaints mechanism for victims of domestic violence, and ensure that all allegations of domestic violence were effectively investigated and the perpetrators prosecuted and punished, and that victims benefited from protection. The Human Rights Committee and the Committee on the Elimination of Discrimination against Women made similar recommendations.[45] In 2017, Slovakia announced that the Act on Victims of Crime defining the offence of domestic violence would be effective as of January 2018.[46]

2. Administration of justice, including impunity, and the rule of law[47]

25. The Committee against Torture was concerned at the lack of efficiency of the judicial system, including the slowness of judicial proceedings, which had created a backlog of cases. It urged Slovakia to improve the functioning of the judicial system in order to enhance the efficiency of judicial proceedings and reduce the backlog of cases.[48]

26. The Committee recommended that Slovakia guarantee all detained persons all fundamental legal safeguards from the outset of their deprivation of liberty in accordance with international standards, including the right to have prompt access to a lawyer from the very outset of deprivation of liberty and, if necessary, to legal aid.[49]

27. The Committee recommended that Slovakia amend its legislation to reduce the duration of pretrial detention, which should be used as an exception, applied for limited periods of time, clearly regulated and subject to judicial supervision, and replace pretrial detention with non-custodial measures.[50]

28. The Committee urged Slovakia to ensure that all persons deprived of their liberty had access to a regime of organized and purposeful out-of-cell activities, to ensure the presence of a sufficient number of psychiatrists in the prison health-care system, and to strengthen the independent and regular monitoring of all places of deprivation of liberty by the ombudsperson and other independent mechanisms.[51]

29. The Committee on the Rights of the Child was concerned that specialized juvenile courts had not been in place since 1993, that special procedures for interrogating children were often used only for children younger than 15 years of age, and that children could undergo initial questioning without their lawyers, parents or other trusted persons present.[52] The Committee urged Slovakia to re-establish specialized juvenile court procedures with adequate resources and designate specialized judges, ensure the provision of qualified and independent legal aid to children in conflict with the law from the beginning of the process and throughout legal proceedings, ensure that special procedures for interrogating children were used for all children up to and including the age of 18, and amend the relevant legislation to ensure that children could only be questioned in the presence of their lawyers, parents or other trusted persons.[53]

3. Fundamental freedoms and the right to participate in public and political life

30. The United Nations Educational, Scientific and Cultural Organization (UNESCO) encouraged the Government to decriminalize defamation and to incorporate defamation into the Civil Code, in accordance with international standards.[54]

31. UNESCO reported on the killing of journalist Ján Kuciak in 2018.[55] The Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression and the Special Rapporteur on extrajudicial, summary or arbitrary executions stated that Slovakia should send a strong message that there would be no impunity for attacks against journalists by conducting a thorough investigation into the killing of Mr.

Kuciak and his partner Martina Kusnirova. They called upon Slovakia to bring those responsible for their killings to justice and to take all necessary measures to protect all journalists in Slovakia.[56]

32. The Committee on the Rights of Persons with Disabilities recommended that Slovakia repeal sections 4 (c) and 6 (c) of the Elections Act and provide for an accessible electoral system to enable all persons with disabilities to exercise their rights to vote and to stand for election.[57]

4. Prohibition of all forms of slavery[58]

33. The Committee against Torture was concerned that Slovakia remained a country of origin, transit and destination for human trafficking, in particular for labour and sexual exploitation and forced begging.[59] The Committee on the Elimination of Discrimination against Women noted with concern the ineffective identification of victims of human trafficking, the lenient sentencing of perpetrators and the vulnerability of Roma women and girls to trafficking for sexual exploitation.[60] The Committee on the Rights of the Child was concerned that children who left institutional care facilities were often at risk of human trafficking owing to a lack of sufficient support.[61]

34. The Committee on the Elimination of Discrimination against Women recommended that Slovakia strengthen efforts aimed at the early identification of victims of trafficking and at victim assistance, ensure the prosecution and adequate punishment of perpetrators of trafficking-related crimes, commensurate with the gravity of the crime, and address the root causes of trafficking and forced prostitution.[62] The International Labour Organization Committee of Experts on the Application of Conventions and Recommendations requested the Government to strengthen its efforts to prevent and eliminate trafficking in children, particularly in Roma girls.[63] The Committee against Torture recommended the implementation of a national programme to fight human trafficking for 2015–2018 and of legislation aimed at countering trafficking, and the allocation of sufficient funds to combat trafficking.[64]

5. Right to family life

35. The Committee on the Elimination of Discrimination against Women noted with concern that there was no legal provision regulating de facto unions, which might deprive women of protection and redress in cases of separation from their partner. The Committee noted that the law on property distribution upon divorce did not adequately address gender-based economic disparities between spouses resulting from traditional work and family life patterns.[65]

C. Economic, social and cultural rights

1. Right to social security

36. The Committee on the Elimination of Discrimination against Women recommended that Slovakia review its pension and social benefits schemes, to ensure that the amount and duration of pensions and other benefits were adequate for effective protection against poverty.[66] The Committee on the Rights of the Child recommended that Slovakia develop anti-poverty strategies, and ensure that Roma families and children were included as target groups in need of special protection.[67]

2. Right to health[68]

37. The Committee on the Elimination of Discrimination against Women recommended that Slovakia adopt a comprehensive programme on sexual and reproductive health and rights, and allocate sufficient resources for its implementation.[69] The Committee and UNESCO also recommended that Slovakia provide education on sexual and reproductive health and rights as part of the regular school curricula.[70]

38. The Committee on the Rights of the Child recommended that Slovakia expand adolescent girls' practical access to affordable contraception, remove the parental consent

requirement for contraceptives requested by adolescent girls over the age of sexual consent, and develop and implement a policy to protect the rights of pregnant teenagers, adolescent mothers and their children, and combat discrimination against them.[71]

44. The Committee on the Elimination of Discrimination against Women recommended that Slovakia revise the Health Care Act to ensure access to safe abortion, and remove the requirement for mandatory counselling, medically unnecessary waiting periods and third-party authorization; ensure unimpeded and effective access to legal abortion and post-abortion services to all women, including by ensuring mandatory referrals in cases of conscientious objections by institutions; and abolish the requirement to report the personal details of women and girls seeking an abortion to the National Health Information Centre. It also recommended that Slovakia ensure universal coverage by public health insurance of all costs relating to legal abortion and modern contraceptives.[72]

45. The Committee on the Rights of Persons with Disabilities was concerned about discrimination against persons with disabilities in their access to health-care services, in particular sexual and reproductive health services, and the restrictions to the exercise of free and informed consent to treatment. The Committee was concerned that the Health Care Act authorized guardians to make decisions for women whose legal capacity had been restricted, on their sterilization and use of contraception.[73]

46. The Committee on the Elimination of Racial Discrimination was concerned about reports of discriminatory treatment by medical personnel against Roma and segregation of Roma, particularly women and girls, and at information relating to verbal and physical violence faced by Roma women when seeking access to sexual and reproductive health services.[74] The Committee against Torture was concerned at reports of the sterilization of Roma women without their free and informed consent, and about the difficulties of victims in obtaining redress.[75]

42. The Committee on the Elimination of Discrimination against Women remained concerned that there was no systematic monitoring of the implementation of relevant legislation on the prohibition of forced sterilization.[76] The Committee on the Rights of Persons with Disabilities was concerned about the lack of investigations for cases of forced sterilization.[77] The Committee on the Elimination of Discrimination against Women noted that some cases of forced sterilization had been pending in the national courts for long periods.[78] The Human Rights Committee was concerned that Slovakia had still not acknowledged responsibility for the past practice of forced sterilization of Roma women.[79]

43. The Committee on the Rights of the Child was concerned that the vaccination rate had dropped below the 95 per cent threshold owing to anti-vaccination campaigns and the reported resistance to vaccination in Roma communities.[80]

3. Right to education[81]

44. Taking note of target 4.2 of Sustainable Development Goal 4, the Committee on the Rights of the Child recommended that Slovakia allocate sufficient financial resources for the development and expansion of early childhood care and education.[82]

45. The Committee urged Slovakia to ensure that inclusive education was given priority over the placement of children in specialized institutions and classes, and to train and assign specialized teachers and professionals in integrated classes to provide individual support.[83] The Committee on the Rights of Persons with Disabilities recommended that Slovakia adopt a plan for the transition from segregated schools to inclusive education at all levels.[84]

46. The Committee on the Rights of the Child recommended that Slovakia include human rights education in school curricula.[85]

D. Rights of specific persons or groups

1. Women[86]

47. The Committee on the Elimination of Discrimination against Women noted with concern that discriminatory stereotypes regarding the roles and responsibilities of women

and men in society and family were deeply rooted in Slovakia, and that there had been campaigns by non-State actors advocating for traditional family values, overemphasizing the roles of women as mothers and caretakers, and criticizing gender equality as "gender ideology".[87] It urged Slovakia to promote the understanding of gender equality in line with international human rights standards, and to counter efforts made by any actors to downplay or degrade the pursuit of gender equality by labelling such measures as ideology.[88]

48. In 2015, the Committee recommended that Slovakia review the Anti-Discrimination Act in order to eliminate any form of discrimination against women in all areas covered by article 2 of the Convention on the Elimination of All Forms of Discrimination against Women.[89] In 2018, the Committee concluded that its recommendation had not been implemented.[90]

49. The Committee was concerned that many public and private actors had not adopted temporary special measures to facilitate the participation of women in the labour market, and that the lack of effective measures to promote the reconciliation of work and family life constituted a barrier to women's access to employment. It was also concerned that significant horizontal and vertical gender segregation existed in the labour market, and that the gender pay gap remained wide.[91]

50. The Committee recommended that Slovakia, inter alia, promote women's access to the labour market, eliminate horizontal and vertical segregation between women and men in the labour market and close the gender pay gap, review its legislation to promote the equal sharing of parental responsibilities between women and men, and encourage men to opt for paternity leave and flexible working arrangements.[92]

51. The Committee noted the high level of representation of women in the judiciary, but was concerned at the low level of representation of women in Parliament and in the Government, and the underrepresentation of women in high-ranking positions in the diplomatic service.[93] The Human Rights Committee recommended that Slovakia increase the participation of women in the public and private sectors, if necessary through appropriate temporary special measures. It encouraged Slovakia to further support the participation of women in high-level and managerial positions and on boards of private enterprises.[94] The Committee on the Elimination of Discrimination against Women recommended that Slovakia adopt temporary special measures for all areas of the Convention in which women were underrepresented or disadvantaged.[95]

52. The Committee recommended that Slovakia strengthen the Department of Gender Equality and Equal Opportunities in order to enhance its coordination role and capacity to implement the national strategy for gender equality for 2014–2019, and increase funding for the Department to ensure the sustainability of the strategy.[96] In 2017, Slovakia pledged to fulfil the action plan.[97]

53. Several treaty bodies noted the adoption of the National Action Plan for the Prevention and Elimination of Violence against Women 2014–2019.[98] The Committee on the Elimination of Discrimination against Women noted with concern, however, the prevalence of gender-based violence and harmful practices against women, the underreporting of such violence and the low numbers of prosecutions and convictions of perpetrators, the limited application of protection orders by the police and the lack of a coordinated system for preventive measures and victim assistance in cases of gender-based violence.[99]

54. The Committee was concerned that the protection of women from sexual harassment and discrimination in the workplace remained inadequate.[100]

55. The Committee urged Slovakia to ensure that women who were victims of violence had adequate access to protection and assistance, including by ensuring that there were sufficient State-funded shelters throughout the country.[101] The Committee against Torture recommended that Slovakia ensure the effective functioning of the free 24-hour State-funded helpline for women who were experiencing violence, and effectively implement the national action plan for the prevention and elimination of violence against women.[102]

2. Children[103]

56. The Committee on the Rights of the Child regretted that the Family Code allowed "reasonable physical punishment" in the raising of children in families.[104] The Human Rights Committee recommended that Slovakia put an end to corporal punishment in all settings and encourage non-violent forms of discipline as alternatives to corporal punishment.[105]

57. The Committee on the Rights of the Child urged Slovakia to establish early detection and investigative programmes for identifying child victims of violence and sexual abuse, and to ensure effective prosecution of perpetrators of violence against and sexual exploitation and abuse of children.[106]

58. The Committee was concerned that preventive measures to avoid the removal of children from their families and to prevent the abandonment of children after birth were lacking.[107] It recommended that Slovakia promote positive parenthood to avoid situations of family crisis that lead to the removal of children from their families, ensure access to professional help for families in crisis and also that children could stay in contact with their parents at all times, if it became necessary to separate them from their parents. It also recommended that Slovakia facilitate family-based care for children wherever possible, and strengthen the system of foster care for children who could not stay with their families, with a view to further reducing the institutionalization of children.[108]

59. The Committee urged Slovakia to prohibit the use of baby boxes allowing for the anonymous abandonment of children, and to promote and strengthen existing alternatives, including by providing family planning services, adequate counselling and social support for unplanned pregnancies and, as a last resort, the possibility of confidential hospital births.[109]

60. The Committee recommended strengthening support to young people leaving care to allow them to reintegrate into society, by providing access to adequate housing, legal, health and social services, and educational and vocational training opportunities.[110]

3. Persons with disabilities[111]

61. The Committee on the Rights of Persons with Disabilities was concerned that the medical approach to disability was still being used in assessments and provisions addressing persons with disabilities.[112] The Committee on the Rights of Persons with Disabilities, the Committee on the Rights of the Child and UNESCO recommended that Slovakia adopt a human rights-based approach to disability.[113]

62. The Committee on the Rights of Persons with Disabilities was concerned that legislation prohibiting disability-based discrimination had not been extended beyond the employment sector and that the denial of reasonable accommodation as disability-based discrimination was not recognized in law.[114]

63. The Committee was concerned that persons with disabilities were not given equal recognition before the law and were denied the rights to vote, to marry and found a family, to enjoy property and to retain fertility. It recommended that Slovakia repeal sections 10 (1) and (2) of the Civil Code, which provided for deprivation and restriction of legal capacity, and introduce supported decision-making.[115]

64. The Committee noted with concern the number of persons with disabilities living below the poverty line, the large number of persons with disabilities employed in sheltered workshops and the lack of effective measures to encourage employment in the open labour market.[116]

65. The Committee was concerned by the high number of institutionalized persons with disabilities, that progress on the deinstitutionalization process was slow, and that there was a lack of provision of full support for persons with disabilities to live independently in their communities.[117]

66. The Committee recommended that Slovakia ensure that the implementation of the deinstitutionalization process was expedited, that community-based services were strengthened for all persons with disabilities, and that new follow-up national action plans

of the transition from institutional settings to community-based support were initiated with the comprehensive involvement of organizations of persons with disabilities and civil society. It recommended that Slovakia no longer allocate resources from the national budget to institutions, and that it reallocate resources to community-based services.[118]

67. The Committee was concerned that national legislation did not provide for the monitoring of compliance to guarantee accessibility to buildings and support, and about the lack of accessibility to public information and communication.[119]

68. The Committee was concerned about the lack of registered sign language interpreters and of sign language interpretation on public television, in courts of justice and in public services, such as education, health and social care.[120]

69. The Committee on the Rights of the Child urged Slovakia to set up a comprehensive strategy for the inclusion of children with disabilities; to amend its legislation to prohibit the institutionalization of children with disabilities under the age of 6; to prioritize family and community care; to ensure that children with disabilities no longer lived in segregated institutional settings; and to undertake awareness-raising campaigns to combat the stigmatization of and prejudice against children with disabilities.[121] It recommended that Slovakia increase the amount of parental allowance for families with children with a severe disability, and grant them a special childcare allowance.[122]

4. Minorities[123]

70. The Committee on the Elimination of Racial Discrimination noted the adoption of the Action Plan for the Rights of National Minorities and Ethnic Groups (2016–2020).[124] In 2017, Slovakia submitted a pledge to the General Assembly to fulfil the action plan.[125]

71. The Human Rights Committee recommended that Slovakia promote tolerance and an environment inclusive of persons belonging to ethnic, national, racial, religious and other minorities.[126]

72. The Committee on the Elimination of Racial Discrimination recommended that Slovakia ensure full participation in public affairs by persons belonging to ethnic minorities, particularly Roma, in both decision-making positions and representative institutions, as well as equal opportunities for their participation at all levels of government and in decision-making positions in the private sector.[127]

73. The Committee on the Rights of the Child recommended that Slovakia strengthen its efforts to facilitate the education of children belonging to national minorities in their mother tongue.[128] UNESCO made a similar recommendation.[129]

74. The Human Rights Committee reiterated its concern that Roma had continued to suffer from discrimination, widespread unemployment, forced evictions without adequate alternative housing solutions and residential segregation.[130] The Committee on the Elimination of Racial Discrimination was concerned that residential segregation of Roma communities persisted, mostly in the eastern part of the country, including through the construction of walls, and that Roma continued to live in settlements where basic services, such as sanitation, drinking water, electricity, sewage systems and waste disposal, were lacking.[131]

75. The Committee welcomed the adoption of the National Strategy for Roma Inclusion by 2020 and its seven related action plans, but was concerned about the insufficient resources allocated for its effective implementation.[132]

76. The Committee recommended that Slovakia adopt special measures with a view to eliminating the structural discrimination that affected Roma and removing all obstacles that prevented their enjoyment of economic, social and cultural rights. It also recommended that Slovakia ensure the effective implementation of the National Strategy for Roma Inclusion, in consultation with Roma communities and organizations, and also the allocation of adequate resources for the implementation of the strategy.[133] In 2017, Slovakia pledged that it would fulfil the national strategy to the General Assembly.[134]

77. The Committee recommended that Slovakia provide access to adequate housing and improve the living conditions for Roma, end residential segregation affecting Roma and

provide security of tenure to Roma communities in order to prevent forced evictions and, when they could not be avoided, ensure that those affected were provided with alternative adequate housing and compensation.[135]

78. The Committee on the Rights of the Child and UNESCO noted that Roma children, especially in segregated settlements, continued to face multiple forms of discrimination, mainly in the fields of education, health care and standard of living.[136] The Committee was concerned that Roma children suffered from malnutrition owing to extremely poor living conditions.[137]

79. The Committee on the Elimination of Racial Discrimination remained concerned about discrimination against and the segregation of Roma children in the education system.[138] The Committee on the Rights of the Child noted that over 50 per cent of them were being taught in Roma-only classes or attending classes in separate school pavilions, often leading to inferior education. The Committee was concerned that the number of Roma children placed in schools for children with mild disabilities continued to be disproportionately high.[139] It was also concerned that the school enrolment rate among Roma children remained low and the dropout rate high, and that there was no systematic application of the Romani language in schools.[140]

80. The Committee on the Elimination of Racial Discrimination recommended that Slovakia eliminate the overrepresentation of Roma children in specialized classes or schools, integrate them into mainstream education and ensure that they enjoyed equal opportunities in access to quality education, including preschool education.[141]

5. Migrants, refugees and asylum seekers[142]

81. The Committee on the Elimination of Discrimination against Women was concerned at the heightened risk of violence, labour exploitation and racially motivated acts faced by migrant women. It urged Slovakia to introduce protective measures for all migrant women, including undocumented ones.[143]

82. The Office of the United Nations High Commissioner for Refugees (UNHCR) observed that, in Slovakia, a foreigner could be detained for a maximum period of six months, which might be repeatedly extended; the overall period could not exceed 18 months. Asylum seekers could not be detained for more than six months, unless they posed a security risk. Foreign families with children, regardless of whether they applied for asylum, could be detained for up to six months.[144]

83. The Committee on the Elimination of Racial Discrimination noted with concern that asylum seekers, including unaccompanied children and families with children, were often detained for extensive periods, and that the alternatives to detention were rarely made available to them.[145]

84. UNHCR reported that certain amendments made in 2017 to the Residence of Aliens Act allowed police authorities to apply two types of alternatives to detention. At the time of reporting, however, alternatives to detention had been applied only in a few cases.[146]

85. The Committee on the Elimination of Racial Discrimination urged Slovakia to provide alternatives to the detention of asylum seekers and to use detention only as a measure of last resort, for the shortest appropriate period.[147] UNHCR made a similar recommendation.[148] The Human Rights Committee urged Slovakia to ensure that any necessary detention took place in appropriate, sanitary, non-punitive facilities, not in prisons.[149]

86. The Committee on the Rights of the Child recommended that Slovakia discontinue the detention of children based on their or their parents' immigration status.[150] The Human Rights Committee and the Committee on the Rights of the Child recommended that Slovakia ensure that age assessment procedures were conducted only by experts and only in cases of reasonable doubt about the age of the person concerned.[151]

87. The Human Rights Committee was concerned about reports of unaccompanied minors who had gone missing from foster homes, and the inefficiency in locating them.[152] The Committee on the Rights of the Child made similar observations.[153]

88. The Human Rights Committee and the Committee on the Rights of the Child recommended that Slovakia ensure that unaccompanied minors received appropriate protection, establish a register of disappeared unaccompanied children, and ensure that child asylum seekers, particularly unaccompanied children, had access to education, social and psychological services and legal aid, and were provided with a legal representative and/or guardian.[154]

89. The Committee against Torture was concerned that Slovakia did not fully comply with the principle of non-refoulement since it had accepted diplomatic assurances in relation to the extradition of persons to States where their life or personal integrity could be threatened. It recommended that Slovakia fulfil its non-refoulement obligations.[155]

90. UNHCR recommended that Slovakia, inter alia, adopt the State integration programme for beneficiaries of international protection before the end of 2018, to ensure that there was a programme in place to facilitate refugees' access to social, economic and cultural rights; provide asylum seekers and beneficiaries of subsidiary protection with effective access to the health-care system by making public health insurance accessible; and accelerate the process of local integration of asylum seekers, refugees and beneficiaries of subsidiary protection by developing effective study materials on the Slovak language and providing appropriate guidance for teachers working with them.[156]

6. Stateless persons

91. UNHCR observed that, although the Act on Residence of Aliens provided for the protection of stateless persons, there were significant gaps that generally undermined that protection regime. It recommended that Slovakia, inter alia, establish a statelessness determination procedure with the necessary procedural guarantees in line with international standards, strengthen the protection of stateless persons through quality legal assistance, and facilitate the naturalization of stateless persons.[157]

Notes

1 Tables containing information on the scope of international obligations and cooperation with international human rights mechanisms and bodies for Slovakia will be available at www.ohchr.org/EN/Countries/ENACARegion/Pages/SKIndex.aspx.
2 For relevant recommendations, see A/HRC/26/12, paras. 110.1–110.3, 110.6, 110.11 and 110.99.
3 CAT/C/SVK/CO/3, para. 21, CEDAW/C/SVK/CO/5-6, para. 48, CERD/C/SVK/CO/11-12, para. 29 and CRC/C/SVK/CO/3-5, para. 62.
4 CAT/C/SVK/CO/3, para. 21, CRC/C/SVK/CO/3-5, para. 62 and CERD/C/SVK/CO/11-12, para. 29.
5 CCPR/C/SVK/CO/4, para. 25, CCPR/C/SVK/CO/4/Add.1, para. 20 and CEDAW/C/SVK/CO/5-6, para. 21. See also Office of the United Nations High Commissioner for Refugees (UNHCR) submission for the universal periodic review of Slovakia, p. 1.
6 See www.ohchr.org/EN/HRBodies/UPR/Pages/UPRImplementation.aspx.
7 OHCHR, "Funding", in *OHCHR Report 2016*, pp. 79 and 135, *OHCHR Report 2017*, pp. 79 and 135 and *OHCHR Report 2018* (forthcoming)
8 For relevant recommendations, see A/HRC/26/12, paras. 110.14–110.20, 110.23–110.27 and 110.30.
9 CCPR/C/SVK/CO/4, para. 8. See also CRC/C/SVK/CO/3-5, para. 15.
10 CERD/C/SVK/CO/11-12, para. 7. See also CAT/C/SVK/CO/3, para. 16, CEDAW/C/SVK/CO/5-6, para. 12 and CRC/C/SVK/CO/3-5, para. 15.
11 CAT/C/SVK/CO/3, para. 16. See also CCPR/C/SVK/CO/4, para. 9, CERD/C/SVK/CO/11-12, para. 8 and CEDAW/C/SVK/CO/5-6, para. 13.
12 CRC/C/SVK/CO/3-5, para. 12.
13 CCPR/C/SVK/CO/4, para. 3 and CERD/C/SVK/CO/11-12, para. 4.
14 For relevant recommendations, see A/HRC/26/12, paras. 110.28–110.29, 110.36–110.70, 110.92–110.95, 110.97–110.98 and 110.102.
15 CCPR/C/SVK/CO/4, para. 4. See also CEDAW/C/SVK/CO/5-6, paras. 4 and 8 and United Nations Educational, Scientific and Cultural Organization (UNESCO) submission for the universal periodic review of Slovakia, para. 10.
16 CCPR/C/SVK/CO/4, para. 10 and CRPD/C/SVK/CO/1, para. 17.
17 CRPD/C/SVK/CO/1, para. 18.
18 CCPR/C/SVK/CO/4, para. 11.
19 CERD/C/SVK/CO/11-12, para. 9.
20 Ibid., para. 11. See also CEDAW/C/SVK/CO/5-6, para. 39 and CRC/C/SVK/CO/3-5, para. 22.

[21] CERD/C/SVK/CO/11-12, para. 11.
[22] Letter dated 15 May 2015 from the Committee on the Elimination of Racial Discrimination addressed to the Permanent Mission of Slovakia to the United Nations Office and other international organizations in Geneva, p. 2. Available from http://tbinternet.ohchr.org/Treaties/CERD/Shared%20Documents/SVK/INT_CERD_FUL_SVK_20673_E.pdf.
[23] CERD/C/SVK/CO/11-12, para. 9. See also CCPR/C/SVK/CO/4, para. 10 and CEDAW/C/SVK/CO/5-6, para. 10.
[24] CCPR/C/SVK/CO/4, para. 13. See also CEDAW/C/SVK/CO/5-6, para. 40.
[25] CERD/C/SVK/CO/11-12, paras. 10 and 18. See also CRC/C/SVK/CO/3-5, para. 16, CCPR/C/SVK/CO/4, para. 11 and CERD/C/88/D/56/2014, annex, para. 9.
[26] CERD/C/SVK/CO/11-12, para. 14. See also A/72/501, annex, para. 10.
[27] CERD/C/SVK/CO/11-12, para. 12. See also CCPR/C/SVK/CO/4, para. 13, CRC/C/SVK/CO/3-5, para. 16 and CCPR/C/SVK/CO/4/Add.1, paras. 1–10.
[28] CCPR/C/SVK/CO/4, para. 12.
[29] CERD/C/SVK/CO/11-12, para. 13, CEDAW/C/SVK/CO/5-6, para. 39 and CRC/C/SVK/CO/3-5, para. 15.
[30] CERD/C/SVK/CO/11-12, para. 14. See also CRC/C/SVK/CO/3-5, para. 15, CEDAW/C/SVK/CO/5-6, para. 40 and letter dated 15 May 2015 from the Committee on the Elimination of Racial Discrimination addressed to the Permanent Mission of Slovakia to the United Nations Office and other international organizations in Geneva p. 2.
[31] CCPR/C/SVK/CO/4, para. 14. See also CRC/C/SVK/CO/3-5, para. 15 and CEDAW/C/SVK/CO/5-6, para. 39.
[32] CCPR/C/SVK/CO/4, para. 15. See also CRC/C/SVK/CO/3-5, para. 16 and CEDAW/C/SVK/CO/5-6, para. 40.
[33] CCPR/C/SVK/CO/4, para. 14.
[34] CEDAW/C/SVK/CO/5-6, para. 37.
[35] CCPR/C/SVK/CO/4, para. 15.
[36] For relevant recommendations, see A/HRC/26/12, paras. 110.57–110.60, 110.94 and 110.96.
[37] CAT/C/SVK/CO/3, para. 7.
[38] CRPD/C/SVK/CO/1, paras. 45–46.
[39] CAT/C/SVK/CO/3, para. 11 and CCPR/C/SVK/CO/4, para. 28.
[40] CERD/C/SVK/CO/11-12, para. 15. See also CRC/C/SVK/CO/3-5, para. 22, CEDAW/C/SVK/CO/5-6, para. 36, CAT/C/SVK/CO/3, para. 11 and https://spcommreports.ohchr.org/TMResultsBase/DownLoadPublicCommunicationFile?gId=23482.
[41] CAT/C/SVK/CO/3, para. 11. See also CAT/C/SVK/CO/3/Add.1, paras. 13–23 and 32–34.
[42] CCPR/C/SVK/CO/4, para. 29, CERD/C/SVK/CO/11-12, para. 16 and https://spcommreports.ohchr.org/TMResultsBase/DownLoadPublicCommunicationFile?gId=23482.
[43] CCPR/C/SVK/CO/4, para. 28 and CAT/C/SVK/CO/3, para. 11. See also CRC/C/SVK/CO/3-5, para. 22.
[44] CERD/C/SVK/CO/11-12, paras. 15–16. See also CRC/C/SVK/CO/3-5, para. 23, CCPR/C/SVK/CO/4, para. 29, CAT/C/SVK/CO/3, para. 11 and CAT/C/SVK/CO/3/Add.1, para. 12.
[45] CAT/C/SVK/CO/3, para. 14, CEDAW/C/SVK/CO/5-6, para. 21 and CCPR/C/SVK/CO/4, para. 25.
[46] CCPR/C/SVK/CO/4/Add.1, para. 14. See also paras. 16–18.
[47] For relevant recommendations, see A/HRC/26/12, paras. 110.87–110.91 and 110.99–110.100.
[48] CAT/C/SVK/CO/3, para. 13. See also CEDAW/C/SVK/CO/5-6, para. 11 and CCPR/C/SVK/CO/4, para. 11.
[49] CAT/C/SVK/CO/3, para. 8. See also CAT/C/SVK/CO/3/Add.1, paras. 2–11.
[50] CAT/C/SVK/CO/3, para. 9.
[51] Ibid., para. 10.
[52] CRC/C/SVK/CO/3-5, para. 56. See also CAT/C/SVK/CO/3, para. 8.
[53] CRC/C/SVK/CO/3-5, para. 57.
[54] UNESCO submission, para. 15.
[55] Ibid., para. 7.
[56] See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=22753&LangID=E. See also UNESCO submission, para. 16 and https://spcommreports.ohchr.org/TMResultsBase/DownLoadPublicCommunicationFile?gId=23690.
[57] CRPD/C/SVK/CO/1, para. 78.
[58] For relevant recommendations, see A/HRC/26/12, paras. 110.74–110.84.
[59] CAT/C/SVK/CO/3, para. 15.
[60] CEDAW/C/SVK/CO/5-6, para. 22. See also CRC/C/SVK/CO/3-5, para. 58.
[61] CRC/C/SVK/CO/3-5, para. 58.
[62] CEDAW/C/SVK/CO/5-6, para. 23. See also CAT/C/SVK/CO/3, para. 15.
[63] See www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3292671:NO.
[64] CAT/C/SVK/CO/3, para. 15. See also A/72/501, annex, para. 10.
[65] CEDAW/C/SVK/CO/5-6, para. 41.

[66] Ibid., para. 35.
[67] CRC/C/SVK/CO/3-5, para. 43.
[68] For relevant recommendations, see A/HRC/26/12, paras. 110.108–110.113.
[69] CEDAW/C/SVK/CO/5-6, para. 31. See also CRC/C/SVK/CO/3-5, para. 41.
[70] CEDAW/C/SVK/CO/5-6, para. 27 and UNESCO submission, para. 13. See also E/C.12/SVK/Q/3, para. 26.
[71] CRC/C/SVK/CO/3-5, para. 41.
[72] CEDAW/C/SVK/CO/5-6, para. 31. See also CRC/C/SVK/CO/3-5, para. 41.
[73] CRPD/C/SVK/CO/1, paras. 69 and 51.
[74] CERD/C/SVK/CO/11-12, para. 23. See also CEDAW/C/SVK/CO/5-6, para. 30, CRC/C/SVK/CO/3-5, para. 38 and CCPR/C/SVK/CO/4, para. 24.
[75] CAT/C/SVK/CO/3, para. 12. See also CRC/C/SVK/CO/3-5, para. 24.
[76] CEDAW/C/SVK/CO/5-6, para. 32.
[77] CRPD/C/SVK/CO/1, para. 51.
[78] CEDAW/C/SVK/CO/5-6, para. 32.
[79] CCPR/C/SVK/CO/4, para. 26.
[80] CRC/C/SVK/CO/3-5, para. 38.
[81] For relevant recommendations, see A/HRC/26/12, paras. 110.21 and 110.114.
[82] CRC/C/SVK/CO/3-5, para. 49.
[83] Ibid., para. 37. See also CEDAW/C/SVK/CO/5-6, para. 27.
[84] CRPD/C/SVK/CO/1, para. 68. See also CEDAW/C/SVK/CO/5-6, para. 27.
[85] CRC/C/SVK/CO/3-5, para. 47.
[86] For relevant recommendations, see A/HRC/26/12, paras. 110.32–110.35, 110.71, 110.102, 110.104–110.105 and 110.107.
[87] CEDAW/C/SVK/CO/5-6, para. 18. See also UNESCO submission, para. 13 and CEDAW/C/SVK/CO/5-6/Add.1, paras. 28–29.
[88] CEDAW/C/SVK/CO/5-6, para. 19. See also CEDAW/C/SVK/CO/5-6/Add.1, paras. 23–29.
[89] CEDAW/C/SVK/CO/5-6, para. 8. See also CEDAW/C/SVK/CO/5-6/Add.1, para. 10.
[90] Letter dated 5 September 2018 from the Committee on the Elimination of Discrimination against Women addressed to the Permanent Mission of Slovakia to the United Nations Office and other international organizations in Geneva. Available from https://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/SVK/INT_CEDAW_FUL_SVK_32309_E.pdf.
[91] CEDAW/C/SVK/CO/5-6, para. 28. See also CEDAW/C/SVK/CO/5-6/Add.1, paras. 11–27.
[92] CEDAW/C/SVK/CO/5-6, para. 29. See also CEDAW/C/SVK/CO/5-6/Add.1, paras. 11–22.
[93] CEDAW/C/SVK/CO/5-6, para. 24. See also CCPR/C/SVK/CO/4, para. 22.
[94] CCPR/C/SVK/CO/4, para. 23. See also CEDAW/C/SVK/CO/5-6, paras. 25 and 29.
[95] CEDAW/C/SVK/CO/5-6, para. 17.
[96] Ibid., para. 15.
[97] A/72/501, annex, para. 10.
[98] CCPR/C/SVK/CO/4, para. 3, CAT/C/SVK/CO/3, para. 6, CEDAW/C/SVK/CO/5-6, para. 5 and CRPD/C/SVK/CO/1, para. 4.
[99] CEDAW/C/SVK/CO/5-6, para. 20. See also CCPR/C/SVK/CO/4, para. 24 and CAT/C/SVK/CO/3, para. 14.
[100] CEDAW/C/SVK/CO/5-6, para. 28.
[101] Ibid., para. 21. See also CCPR/C/SVK/CO/4, para. 25, CAT/C/SVK/CO/3, para. 14 and A/72/501, annex, para. 10.
[102] CAT/C/SVK/CO/3, para. 14.
[103] For relevant recommendations, see A/HRC/26/12, paras. 110.72–110.73 and 110.85.
[104] CRC/C/SVK/CO/3-5, para. 26. See also CCPR/C/SVK/CO/4, para. 34.
[105] CCPR/C/SVK/CO/4, para. 35. See also CRC/C/SVK/CO/3-5, para. 27.
[106] CRC/C/SVK/CO/3-5, para. 29.
[107] Ibid., para. 34.
[108] Ibid., para. 35.
[109] Ibid., para. 21.
[110] Ibid., para. 35.
[111] For the relevant recommendation, see A/HRC/26/12, para. 110.115.
[112] CRPD/C/SVK/CO/1, para. 11.
[113] Ibid., para. 12, CRC/C/SVK/CO/3-5, para. 37 and UNESCO submission, para. 4.
[114] CRPD/C/SVK/CO/1, paras. 13 and 15.
[115] Ibid., paras. 38–39.
[116] Ibid., paras. 73 and 75.
[117] Ibid., para. 55. See also para. 23, CCPR/C/SVK/CO/4, para. 20 and CRC/C/SVK/CO/3-5, para. 36.
[118] CRPD/C/SVK/CO/1, para. 56. See also CCPR/C/SVK/CO/4, para. 21 and CRC/C/SVK/CO/3-5, para. 37.
[119] CRPD/C/SVK/CO/1, paras. 29 and 31.
[120] Ibid., para. 61.

[121] CRC/C/SVK/CO/3-5, para. 37. See also CRPD/C/SVK/CO/1, para. 24.
[122] CRC/C/SVK/CO/3-5, para. 37. See also CRPD/C/SVK/CO/1, para. 66.
[123] For relevant recommendations, see A/HRC/26/12, paras. 110.21, 110.47, 110.50–110.56, 110.102, 110.116–110.144 and 116.146.
[124] CERD/C/SVK/CO/11-12, para. 4.
[125] A/72/501, annex, para. 10.
[126] CCPR/C/SVK/CO/4, para. 13. See also A/72/501, annex, para. 10.
[127] CERD/C/SVK/CO/11-12, para. 20.
[128] CRC/C/SVK/CO/3-5, para. 45.
[129] UNESCO submission, para. 12.
[130] CCPR/C/SVK/CO/4, para. 16. See also CERD/C/88/D/56/2014, annex, para. 5.8 and CEDAW/C/SVK/CO/5-6, para. 28.
[131] CERD/C/SVK/CO/11-12, para. 21. See also CEDAW/C/SVK/CO/5-6, para. 36, CRC/C/SVK/CO/3-5, para. 42, letter dated 15 May 2015 from the Committee on the Elimination of Racial Discrimination addressed to the Permanent Mission of Slovakia to the United Nations Office and other international organizations in Geneva, p. 2 and E/C.12/SVK/Q/3, para. 21.
[132] CERD/C/SVK/CO/11-12, paras. 4 and 17. See also CCPR/C/SVK/CO/4, para. 3 and CAT/C/SVK/CO/3, para. 6.
[133] CERD/C/SVK/CO/11-12, para. 18. See also CCPR/C/SVK/CO/4, para. 17.
[134] A/72/501, annex, para. 10.
[135] CERD/C/SVK/CO/11-12, para. 22. See also CCPR/C/SVK/CO/4, para. 17, CEDAW/C/SVK/CO/5-6, para. 37 and CRC/C/SVK/CO/3-5, paras. 16 and 43.
[136] CRC/C/SVK/CO/3-5, para. 15 and UNESCO submission, para. 11.
[137] CRC/C/SVK/CO/3-5, para. 42.
[138] CERD/C/SVK/CO/11-12, para. 25. See also CEDAW/C/SVK/CO/5-6, para. 26, CCPR/C/SVK/CO/4, para. 18 and CRC/C/SVK/CO/3-5, para. 44.
[139] CRC/C/SVK/CO/3-5, para. 44. See also CCPR/C/SVK/CO/4, para. 18, CRPD/C/SVK/CO/1, para. 67 and UNESCO submission, para. 11.
[140] CRC/C/SVK/CO/3-5, para. 44.
[141] CERD/C/SVK/CO/11-12, para. 26. See also CCPR/C/SVK/CO/4, para. 19, CEDAW/C/SVK/CO/5-6, para. 27 and CRC/C/SVK/CO/3-5, para. 45.
[142] For relevant recommendations, see A/HRC/26/12, paras. 110.45–110.46.
[143] CEDAW/C/SVK/CO/5-6, paras. 36–37.
[144] UNHCR submission, p. 4.
[145] CERD/C/SVK/CO/11-12, para. 27. See also CCPR/C/SVK/CO/4, para. 30 and CRC/C/SVK/CO/3-5, para. 52.
[146] UNHCR submission, p. 4.
[147] CERD/C/SVK/CO/11-12, para. 28. See also CCPR/C/SVK/CO/4, para. 31 and CRC/C/SVK/CO/3-5, para. 53.
[148] UNHCR submission, p. 4.
[149] CCPR/C/SVK/CO/4, para. 31. See also CERD/C/SVK/CO/11-12, para. 28.
[150] CRC/C/SVK/CO/3-5, para. 53. See also CERD/C/SVK/CO/11-12, para. 28, CCPR/C/SVK/CO/4, para. 33 and UNHCR submission, p. 4.
[151] CCPR/C/SVK/CO/4, para. 33 and CRC/C/SVK/CO/3-5, para. 55. See also CCPR/C/SVK/CO/4/Add.1, paras. 23–27.
[152] CCPR/C/SVK/CO/4, para. 32. See also CCPR/C/SVK/CO/4/Add.1, paras. 21–22.
[153] CRC/C/SVK/CO/3-5, para. 54.
[154] CCPR/C/SVK/CO/4, para. 33 and CRC/C/SVK/CO/3-5, para. 55. See also CCPR/C/SVK/CO/4/Add.1, paras. 28–36.
[155] CAT/C/SVK/CO/3, para. 17. See also CEDAW/C/SVK/CO/5-6, para. 40.
[156] UNHCR submission, p. 3. See also CRC/C/SVK/CO/3-5, para. 53.
[157] UNHCR submission, p. 5.

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Summary of Stakeholders' submissions on Slovakia*

Report of the Office of the United Nations High Commissioner for Human Rights

I. Background

1. The present report was prepared pursuant to Human Rights Council resolutions 5/1 and 16/21, taking into consideration the periodicity of the universal periodic review. It is a summary of 8 stakeholders' submissions[1] to the universal periodic review, presented in a summarized manner owing to word-limit constraints.

II. Information provided by stakeholders

A. Scope of international obligations and cooperation with international human rights mechanisms and bodies[2]

2. The Slovak National Centre for Human Rights (SNCHR) welcomed the ratification of the International Convention for the Protection of All Persons from Enforced Disappearance in 2014.[3] It recommended that Slovakia intensify the ratification of the Optional Protocol to the Convention against Torture.[4]

3. The SNCHR stated that Slovakia had signed the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (the Istanbul Convention) in 2011. However, the Government decided to postpone the ratification of the Istanbul Convention for an indefinite period.[5] The Commissioner for Human Rights of the Council of Europe (CoE-Commissioner) encouraged Slovakia to accelerate the ratification of the Istanbul Convention.[6]

4. Furthermore, the CoE-Commissioner urged the authorities to accede to Protocol No. 12 to the European Convention on Human Rights as well as to the Additional Protocol to the European Social Charter Providing for a System of Collective Complaints.[7]

5. The International Campaign to Abolish Nuclear Weapons (ICAN) recommended that Slovakia sign and ratify the United Nations Treaty on the Prohibition of Nuclear Weapons as a matter of international urgency.[8]

* The present document was not edited before being sent to United Nations translation services.

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B. National human rights framework[9]

6. The European Commission against Racism and Intolerance (CoE-ECRI) reported that the Slovak National Centre for Human Rights regained accreditation with the United Nations International Coordinating Committee of National Human Rights Institutions (now GANHRI) with B status in 2014. It noted that the sub-committee on accreditation encouraged Slovakia to pursue a number of legislative changes in order to strengthen the mandate and independence of the Centre. The CoE-ECRI observed that the reform of the Centre has been on the agenda of a number of Governments for last years and that all attempts at reform had yielded no concrete results in terms of change of legislation as of March 2017.[10] The SNCHR made similar observations.[11]

7. The SNCHR recommended that Slovakia, without further delay, complete the process of legislative changes to ensure that the Slovak National Centre for Human Rights is fully compliant with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles) and can apply for re-accreditation with status A.[12] Likewise, the Committee of Ministers of (CoE-CM) and the Advisory Committee on the Framework Convention For The Protection Of National Minorities (CoE-ACFC) of the Council of Europe recommended that Slovakia speed up the reform of the Slovak National Centre for Human Rights to ensure that it is functioning in full independence.[13]

8. Furthermore, the CoE-Commissioner invited the authorities to consider extending the mandate of the Slovak National Centre for Human Rights with the power to issue effective and dissuasive sanctions in cases of human rights violations. He urged the authorities to lend their full support to the work of the Slovak National Centre for Human Rights and the Ombudsperson and to provide these institutions with adequate human and financial resources enabling them to effectively carry out their mandates.[14]

9. The SNCHR welcomed the establishment of the Commissioner for Persons with Disabilities and the Commissioner for Children as independent public bodies carrying out their mandates separately from the Slovak National Centre for Human Rights and the Public Defender of Rights (Ombudsperson).[15]

10. The SNCHR welcomed the adoption of a national strategies on the protection and promotion of human rights, on gender equality and on Roma integration.[16]

11. The CoE-Commissioner commended the focus of the first national human rights strategy on strengthening the institutional protection and the enforceability of human rights, improving human rights education, advancing civil, cultural and economic rights, and fighting discrimination and intolerance. He noted, however, the concerns expressed that the strategy did not define clear objectives, tasks and benchmarks or assign coordination, implementation and monitoring responsibilities to concrete bodies.[17]

C. Implementation of international human rights obligations, taking into account applicable international humanitarian law

1. Cross-cutting issues

Equality and non-discrimination[18]

12. The CoE-Commissioner encouraged the authorities to continue the reform of the anti-discrimination framework so as to close gaps in the level of protection afforded on various grounds of discrimination, including gender. The reform of the equal treatment legislation should be accompanied by continued awareness-raising work and training of concerned professionals and local and regional authorities.[19]

13. Joint submission 1 (JS1) stated that the Anti-Discrimination Act remained largely under-implemented due to several reasons.[20] The CoE-ECRI stated that the Anti-discrimination Act was not applied adequately as the body empowered to monitor its implementation, the Slovak National Centre for Human Rights, did not function independently.[21]

14. The CoE-ECRI reported that there was no general provision that racist motivation constituted an aggravating circumstance for all criminal offences. Citizenship and language were not included among the characteristics of potential victims of racist conduct and racial discrimination, which were punishable under the Criminal Code.[22] It recommended that the authorities ensure that citizenship is included among the characteristics of potential victims of racist conduct and racial discrimination. It recommended that the authorities insert a provision in the Criminal Code expressly stating that motivation on grounds of race, colour, language, religion, citizenship, or national/ethnic origin constituted an aggravating circumstances for any offense.[23]

15. The CoE-CM and the CoE-ACFC recommended ensuring that law enforcement officers are adequately trained to properly investigate and follow-up all cases of racial discrimination, including through the initiation of independent investigations of alleged cases of police abuse.[24]

16. The CoE-Commissioner called on Slovakia to develop further and implement initiatives aimed at combating racism and extremism in all sections of society. Priority should be given to actions which aim to raise awareness of the dangers of intolerance and racism, promote tolerance and enhance human rights education in schools.[25]

17. In 2014, the CoE-ECRI reported that the leader of a far-right party was elected as a regional governor.[26] The SNCHR reported that a far-right extremist party gained 13 seats in the 2016 parliamentary elections. In 2017, the General Prosecutor had filed a proposal to dissolve the party taking into account evaluation of materials and a conclusion that the party with fascist tendencies violated the Constitution.[27]

18. The CoE-ECRI recommended that the authorities implement legislation on banning political parties openly hostile to human rights and enact legislation on suspending state funding for those parties and banning persons convicted of offences of racism or racial discrimination from running for public offices.[28]

19. The SNCHR reported that hate crimes had been increasing as well as incidents of hate speech.[29] The CoE-ECRI noted that hate speech was recurrent on the Internet and in part of the traditional media. It stated that anti-"minorities" rhetoric and offensive discourse targeting sexual orientation were common among politicians.[30]

20. The SNCHR recommended that Slovakia adopt preventive measures to tackle increasing intolerance and radicalisation in its society, particularly among young people.[31] The CoE-Commissioner stated that the authorities need to use all available means to end impunity and to combat all kinds of hate crimes and hate speech, especially when they take on the extreme forms that destabilise social cohesion and erode the fundamental human rights principles.[32] The CoE-CM and CoE-ACFC recommended that Slovakia systematically and promptly condemn all instances of anti-minority rhetoric in the public discourse and design a comprehensive strategy to promote respect and intercultural understanding among different groups in society.[33]

21. The SNCHR recommended that Slovakia increase efforts to effectively monitor, investigate and prosecute all hate crime and hate speech incidents.[34] The CoE-Commissioner urged Slovakia to ensure that law enforcement officials and legal professionals are adequately and systematically trained to be able to recognise and effectively investigate and sanction hate crimes.[35]

22. In 2014, the CoE-ECRI recommended ensuring that a mechanism for collecting disaggregated data on hate speech incidents is put in place, recording the specific motivation and the follow-up given to them by the justice system and that this data is made available to the public.[36] In 2017, the CoE-ECRI, as a follow up of its 2014 recommendations, noted with satisfaction that statistics have been disaggregated according to the specific bias motivation of the offender and that those statistics were made public as part of the annual report on extremism. However, the CoE-ECRI noted that there was still no recording of the follow-up given to hate speech incidents by the justice system.[37]

23. The CoE-Commissioner commended the progress made in the past few years by Slovakia in strengthening the policy and institutional framework for the promotion and protection of the human rights of lesbian, gay, bisexual and intersex (LGBTI) persons.[38]

However, the CoE-Commissioner was worried at the growing negative rhetoric and hate speech directed against LGBTI persons in recent years.[39]

24. The CoE-Commissioner urged the authorities to extend the provisions of domestic hate speech legislation to cover sexual orientation, gender identity and sex characteristics. He called on Slovakia to ensure that law enforcement officials and legal professionals are adequately equipped to recognise and effectively confront such incidents.[40]

25. Furthermore, the CoE-Commissioner urged the authorities to take a strong public position against violations of the human rights of LGBTI persons and promote respect on issues related to sexual orientation, gender identity and sex characteristics, for example through systematic human rights education and awareness-raising campaigns.[41]

26. The CoE-ECRI reported that there was no adequate access to gender reassignment treatment although this was required by law in order to change name and identification number.[42] The CoE-ECRI recommended that Slovakia ensure that gender reassignment treatments are made available for transgender persons and that their cost is reimbursed by public health insurance schemes.[43]

27. The CoE-Commissioner called on Slovakia to improve the protection afforded to trans and intersex persons, including intersex children. Attention should be paid to countering unlawful practices imposing medical interventions and non-marriage requirements for the official recognition of gender reassignment. He urged the authorities to set up strong, explicit guarantees protecting intersex children from unnecessary surgical procedures aimed at assigning them a sex without their free and informed consent.[44]

28. The CoE-Commissioner invited the authorities to consider favourably the possibility of providing cohabiting different sex and same-sex couples with legal means to address the practical problems related to the social reality in which they live.[45]

Development, the environment, and business and human rights

29. The SNCHR reported that the activities of international and local businesses operating in Slovakia had certain negative impacts on the enjoyment of human rights, including discrimination of vulnerable groups (e.g. women, members of ethnic and national minorities, older persons etc.), forced labour, work conditions in production, treatment of the migrant workers, destruction of the environment, violation of rights during the expropriation of land, corruption and protection of personal data and privacy.[46] It noted that there have been more than 300 national action plans, programmes and strategies and that some of them have been slightly touching on the issues of business and human rights. However, the United Nations Guiding Principles on Business and Human Rights had not been comprehensively implemented, concluded the SNCHR.[47]

30. The SNCHR recommended that Slovakia start actively monitoring negative impacts of business on the enjoyment of human rights with special focus on vulnerable groups, initiate implementation of the United Nations Guiding Principles on Business and Human Rights without undue delay and adopt a national action plan on business and human rights.[48]

2. Civil and political rights

Right to life, liberty and security of person[49]

31. The CoE-Commissioner urged Slovakia to ensure that all allegations of ill-treatment by law enforcement officers are promptly and effectively investigated, and that those who commit these violations are brought to justice. He stressed that the lack of an adequate response by the authorities to long-standing serious concerns raised by police ill-treatment of Roma persons needed to be urgently addressed.[50]

32. The CoE-Commissioner found it crucial that Slovakia established, as a priority, a fully independent and well-functioning complaints mechanism covering all law enforcement officials.[51]

Administration of justice, including impunity, and the rule of law[52]

33. With respect to judges, the Group of States against Corruption of the Council of Europe (CoE-GRECO) concluded that the corruption prevention framework had been reinforced by the new Judicial Code of Conduct, which was implemented through a unified approach involving judges, judicial self-governing bodies and professional associations of judges. The combination of the new rules and the new supervisory and advisory/counselling functions attributed to judicial bodies amount to a dedicated policy aimed at preventing and managing conflicts of interest within the judiciary. Nonetheless, the CoE-GRECO noted that the Code itself was worded in too general terms and remained to be complemented by detailed "interpretation rules", relating inter alia to conflicts of interest and give explanations and concrete examples of actual and potential conflicts of interest derived from practice. Furthermore, while the adoption of legislation establishing an obligation on judges to declare liabilities and gifts was a positive development, the threshold for declaring gifts received by judges in their personal capacity remained too high and more efficient scrutiny of judges' asset declarations has to be ensured.[53]

34. The SNCHR recommended that Slovakia establish a national preventive mechanism with sufficient financial, technical and material capacity to conduct independently and effectively its mandate.[54]

Fundamental freedoms and the right to participate in public and political life

35. The Office for Democratic Institutions and Human Rights of the Organisation for Security and Co-operation in Europe (OSCE/ODIHR) noted the high damages in civil defamation cases envisaged by the legislation and referred to the Representative on Freedom of the Media of the OSCE calling on the authorities to limit compensation in those cases.[55] It was concluded in the 2016 report of OSCE/ODIHR that defamation should be decriminalized and proportional legal limitations of damages in civil libel cases should be introduced in order to prevent self-censorship and remove unjustified strain on the financial stability of the media.[56]

36. Concerning the safety of journalists, the CoE-Commissioner called for a prompt and effective investigation in the murder of journalist Ján Kuciak and his partner Martina Kušnírová in order to identify and punish the perpetrators. He also called for an urgent public discussion about media freedom and the safety of journalists, focusing in particular on political discourse.[57]

37. Furthermore, CoE-Commissioner invited the authorities to review whether legislation and practice sufficiently protect journalists who made information requests, and ensure they do not increase the vulnerability of journalists working on sensitive topics.[58]

38. The Alliance Defending Freedom International (ADF International) noted the legal requirement for the religious groups to register and that only religious groups meeting a threshold number of adherents, which was raised from 20 000 to 50 000 in 2017, could register. The ADF International stated that members of a religious group were required to provide some personal information in order to meet the threshold. Those groups that were unable to register were restricted from certain activities such as renting property and opening a bank account.[59] It recommended that Slovakia remove burdensome registration requirements and reform its relevant laws to facilitate the registration process so that everyone can fully exercise their rights.[60]

39. It was concluded in the 2016 report of OSCE/ODIHR that the 2016 parliamentary elections were held in a competitive and pluralistic environment and fundamental freedoms were respected. Voters had the opportunity to make an informed choice from a variety of political options.[61] The OSCE/ODIHR offered several recommendations in its report with a view to further enhancing the conduct of elections in Slovakia. It stated that consideration should be given inter alia to introducing provisions prohibiting the misuse of administrative resources for campaign purposes and requiring that political parties disclose all types of income, including donations, bank loans and in-kind contributions, on a quarterly basis. It was recommended that legal provisions be introduced to ensure full access to all stages of the electoral process to citizen and international observers and that adequate time limits for

election-related complaints at all levels are provided by the legislation to ensure the implementation of the right to effective remedy.[62]

Prohibition of all forms of slavery[63]

40. The Group of Experts on Action against Trafficking in Human Beings of the Council of Europe (CoE-GRETA) considered that Slovakia should strengthen its efforts to prevent trafficking for the purpose of exploitation and the prevention of trafficking in children through the implementation of measures and programmes aimed at supporting children in vulnerable situations, including Roma children, street children and children in residential care.[64]

41. The Committee of the Parties to the Council of Europe Convention on Action against Trafficking in Human Beings (CoE-CP) and the CoE-GRETA recommended that Slovakia improve the identification and assistance to child victims of trafficking and ensure that child victims of trafficking are afforded special protection measures taking into account the best interests of the child. The police, prosecutors and judges, and social workers acting as legal guardians of children, should be trained and made aware of the particular vulnerability of child victims of trafficking.[65]

42. The CoE-CP and the CoE-GRETA recommended that Slovakia take additional legislative and practical measures to ensure that human trafficking cases are investigated proactively, prosecuted successfully and lead to effective, proportionate and dissuasive sanctions, that financial investigations are systematically carried out to locate the proceeds of crime and other assets of the traffickers and that the offence of trafficking in human begins is excluded from the plea bargaining procedure.[66] Additionally, they recommended that Slovakia make full use of measures available to protect victims and witnesses of human trafficking and ensure that they are adequately protected from potential retaliation or intimidation in the course of judicial proceedings, including by reviewing the practice of direct confrontation of victims with suspected traffickers.[67]

43. The CoE-GRETA considered that Slovakia should ensure that all presumed and identified victims of human trafficking receive adequate assistance, including by ensuring that the victims have effective access to legal aid and legal counselling.[68] The CoE-CP and CoE-GRETA recommended that Slovakia adopt measures to facilitate and guarantee access to compensation for victims of trafficking.[69]

3. Economic, social and cultural rights

Right to education[70]

44. In 2015, the CoE-Commissioner stated that despite the acknowledgment from the government of the need to tackle school segregation, as well as some of the legislative and policy measures that had been put in place, examples of successful inclusion were usually not due to a systemic approach. He noted the lack of a clear roadmap to desegregation at the national, regional or local levels. The CoE-Commissioner expressed concern about the non-enforcement of legal obligations in the field of inclusion, even after court orders to desegregate.[71]

45. In 2018, the CoE-Commissioner called on the authorities to start addressing the continuing segregation of Roma children and children with disabilities in education in a more comprehensive manner. Noting that little meaningful progress had been achieved in this field since his visit in 2015, the CoE-Commissioner stressed that measures to tackle school segregation could not be ad hoc and temporary. They must be bold and sustainable and reflect a long-term vision of inclusion shared by all stakeholders and supported across all levels and areas of the administration.[72]

46. Furthermore, the CoE-Commissioner called on Slovakia to introduce in law a clear obligation to desegregate and an enforceable right to inclusion, combined with a strong and internally coherent system of support to schools and pupils, including providing teaching and other assistants, funded through a stable budget that makes it reliable and long-term, and not primarily through temporary projects.[73]

47. The CoE-Commissioner noted that human rights education did not constitute a compulsory part of the state educational curriculum. Moreover, very little resources were allocated to teacher training in this field.[74] He invited the authorities to explicitly include human rights in the attainment targets for primary and secondary education and to take measures to ensure that civil servants working at central and local levels are systematically trained on human rights issues. He stressed that teaching methods should encourage critical thinking and create a participatory learning environment free from discrimination and intolerance.[75]

4. Rights of specific persons or groups

Women[76]

48. The SNCHR stated that discriminatory stereotypes concerning social and family roles of women and men were deeply rooted in Slovakia. Women continued to bear a disproportionate share of family and household responsibilities. The SNCHR explained that, in terms of gender stereotyping, a fundamental problem laid on misinterpretation of the term "gender equality". Some groups of society considered gender equality as a threat to traditionalism. The SNCHR recommended that Slovakia strengthen its efforts to take effective and proactive measures, including awareness-raising campaigns, to promote general understanding of gender equality.[77]

49. JS1 reported that gender inequality remained evident in many areas of private and public life.[78]

Children[79]

50. The Global Initiative to End All Corporal Punishment of Children (GIEACPC) noted that Slovakia supported recommendations from the second universal periodic review to prohibit corporal punishment in the family as a form of discipline by parents.[80] The GIEACPC reported that no progress has been made in this respect during the reporting period and that corporal punishment had been prohibited in all settings except at home. GIEACPC stated that legislation should be enacted to explicitly prohibit all forms of corporal punishment in the family.[81]

Persons with disabilities[82]

51. The CoE-Commissioner welcomed a legislative reform aimed at prohibiting the full incapacitation of persons with psychosocial and intellectual disabilities. He called on the authorities to finalise the process as a matter of priority and to develop a flexible system of supported decision-making, based on individual consent. In respect of supported decision-making, safeguards must be put in place to ensure that the provided support respects the preferences of the persons receiving it, is free of conflict of interest and is subject to judicial review.[83]

52. The CoE-Commissioner urged Slovakia to ensure that persons placed under guardianship have effective access to judicial review proceedings to challenge the guardianship or the way in which it is administered. He called on the authorities to ensure that persons with disabilities are recognised as persons with equal standing in courts and tribunals and can effectively challenge any interference with their right to legal capacity.[84]

53. The CoE-Commissioner urged Slovakia to speed up the deinstitutionalisation process, with the active involvement of persons with disabilities and their representative organisations. The first step in this respect should be to immediately stop new placements in institutions. The authorities should avoid opening new –even if smaller – institutions. He called on the authorities to move resources from institutions to the development of individualised support services and adopt legislation providing clear guarantees for the respect of the right to independent living.[85]

54. Furthermore, the CoE-Commissioner urged Slovakia to ensure that persons with disabilities have effective access to a range of community-based arrangements, including the personal assistance necessary to support independent living and inclusion in the community.[86]

55. The CoE-Commissioner noted that Slovakia had a tradition of special schools for children with various disabilities. The majority of children with intellectual and psychosocial disabilities attended special schools, which were segregated from mainstream educational systems and facilities. The CoE- Commissioner stated that inclusive education for persons with disabilities was not guaranteed under legislation.[87]

56. The CoE-Commissioner urged Slovakia to adopt inclusive education as a fundamental principle of their educational policies. The authorities must ensure that children with special education needs effectively benefit from individual support and reasonable accommodation in mainstream settings. He encouraged Slovakia to take measures making the transition to inclusive education possible, including through provisions establishing an enforceable obligation on mainstream schools to reasonably accommodate children with disabilities. Such measures should be accompanied by a clear and ambitious timetable and an adequate budget.[88]

Minorities[89]

57. The CoE-CM and the CoE-ACFC recommended that Slovakia increase attention to minority rights as an integral part of human rights in the government agenda and ensure effective inter-institutional co-ordination on all issues pertaining to human and minority rights protection, in close consultation with national minority and civil society representatives.[90]

58. The Committee of Experts on the application of the European Charter for the Regional and Minorities Languages (CoE-ECRML) noted that Slovakia had continued to fund a network of minority culture museums and provided funding to the activities prompting the culture of national minorities.[91] The CoE-CM and the CoE-ACFC recommended that Slovakia maintain regular support to national minority cultural activities and ensure that representatives of all national minorities are effectively consulted in all relevant decision making on allocations.[92]

59. The CoE-ECRML stated that the existing offer in the school system, except for Hungarian, did not guarantee any systematic provision of minority language education and did not provide for the necessary continuity throughout all levels of education. The steps taken to reduce costs (so called school rationalisation) were particularly affecting minority language education. The number of schools has been decreasing, even in the case of Hungarian.[93]

60. The CoE-CM and the CoE-ACFC recommended that Slovakia increase efforts to maintain high quality minority language education and to pursue a close dialogue with national minority representatives, parents and school administrations to ensure that the eventual closure of small schools does not hinder effective opportunities for persons belonging to national minorities to learn in their minority languages. They recommended ensuring that teachers of minority language schools have adequate access to relevant training programmes for teaching in all subjects and that textbooks contain adequate portrayals of all national minority communities and their history in Slovakia.[94]

61. The CoE-ECRML stated that the Slovakia had a highly detailed and complex legislation governing the use of the official language and the minority languages. Despite amendments made, some of the legal provisions, especially the State Language Act, and their implementation contradicted the principle under the European Charter for the Regional and Minorities Languages to encourage and facilitate the use of minority languages in public life, and in some cases prevents their use.[95] It reported that the use of minority languages in administration remained on the whole limited. The legislation in force continued to exclude the use of minority languages in the administration in areas where the speakers were present in sufficient numbers.[96]

62. The CoE-ECRML stated that minority language broadcasting in radio and television was insufficient and the publication of weekly newspapers was non-existent, with a partial exception of Hungarian. The Bulgarian, Croatian, German and Polish languages had only a very limited presence on television.[97] The CoE-CM and the CoE-ACFC recommended that Slovakia increase its support to minority language media, particularly in the languages of numerically smaller minorities and Romani.[98]

63. The CoE-ACFC noted that many Roma continued to face grave obstacles in accessing rights in a number of spheres, such as health, housing, employment and social services.[99] The SNCHR observed that Roma communities remained one of the most discriminated communities in Slovakia and that discrimination against the Roma was grave in education, housing and employment.[100] JS1 reported that Roma remained underrepresented in elective bodies at local and national levels.[101]

64. The CoE-CM and the CoE-ACFC recommended that Slovakia intensify efforts to effectively protect the Roma from discrimination in all spheres of life, including by raising awareness on their rights.[102] The CoE-Commissioner urged the authorities and political leaders at all levels to abstain from using stigmatising rhetoric against Roma.[103]

65. The CoE-Commissioner expressed concern about persistent deficiencies in Roma children's access to education. He remained concerned by the long-standing, widespread practice consisting in placing Roma children either in special schools or classes, or in separate classes or schools within the mainstream education system.[104] The SNCHR, JS1 and the EU-FRA made similar observations.[105]

66. The CoE-CM and the CoE-ACFC recommended that Slovakia comprehensively address anti-Gypsyism in the education system and put in place the necessary measures to ensure that Roma children are systematically placed in integrated regular classes.[106] The CoE-Commissioner made similar recommendations.[107]

67. The CoE-Commissioner urged Slovakia to deal effectively with the issue of the excessively high rate of Roma with no formal education and the high early drop-out rates of Roma children. He encouraged Slovakia to develop integrated support measures aimed at eradicating and preventing school drop-out and ensuring the full reintegration of Roma children in the education system.[108]

68. The CoE-ECRI recommended ensuring that pre-school education as readily available to all Roma children, support Roma parents so they can afford to send their children to pre-school and create measures conductive an inclusive environment in pre-school facilities.[109]

69. The SNCHR stated that access to adequate housing and basic services remained a major problem faced by the Roma. A significant part of the Roma lived in settlements, where large parts of dwellings did not meet basic standards with no access to drinking water, electricity, gas, sewage, missing roads and public lights. Roma were also discriminated in the provision of housing services. They were either unlawfully denied access to such services or faced segregation practices.[110] The CoE-Commissioner also expressed concern about dire housing situation of Roma.[111]

70. In 2015, the CoE-Commissioner stated that some local authorities reportedly blocked Roma from obtaining construction permits or purchasing land and that partly as a result of lack of tenure, many Roma faced the threat of forced eviction.[112] In 2018, the SNCHR reported that new legislation was adopted to help settle lands under the dwellings in Roma communities.[113]

71. The CoE-Commissioner was concerned about the continued trend for building walls separating Roma and non-Roma communities.[114] The SNCHR made similar observations and reported that nine towns out of 13 towns it monitored from 2014 to 2017, had built such walls.[115]

72. The CoE-Commissioner urged the authorities to address dire housing situation of Roma as a matter of priority. He urged the authorities to ensure that evictions are means of last resort. When evictions cannot be avoided, they should take place in full compliance with international standards, including the provision of adequate alternative accommodation, due process and legal remedies, compensation and protection from homelessness.[116]

73. The SNCHR recommended that the authorities undertake additional measures to reduce Roma residential segregation and develop clear housing policies to eliminate segregation and discrimination in housing as well as ensure that all "anti-Roma walls" are removed without undue delay and support integration of the affected communities.[117] The

CoE-Commissioner stressed the importance of ensuring that local authorities are made accountable for any segregation policies and actions.[118]

74. The CoE-ECRI noted that educational and employment gaps, associated with poor housing conditions in most Roma settlements, resulted in poor health conditions for the Roma population.[119] The CoE-ACFC called on the authorities to continue and enhance their support for targeted measures to promote equal access to healthcare services by Roma, while paying due attention to the specific concerns of Roma women.[120]

75. The CoE-ECRI stated that there was a failure to implement the Roma integration programme due to a lack of will and because various programmes remained under the responsibility of individual ministries. An assessment of the progress of the Roma integration programme was impaired by the absence of comprehensive data.[121]

76. The CoE-CM and the CoE-ACFC recommended that Slovakia implement the Roma Integration Strategy and Decade Action Plan at central, regional and local levels in close consultation with Roma representatives and intensify efforts to counter anti-Gypsyism in society to effectively promote access of Roma to socio-economic rights.[122]

Migrants, refugees, asylum seekers and internally displaced persons[123]

77. The CoE-ECRI recommended that the authorities promote the integration of persons with subsidiary protection through a State-funded integration programme guaranteeing minimal rights, such as free access to Slovak language classes, the recognition of educational and professional diplomas obtained abroad and all other social services provided to refugees.[124]

78. The CoE-ECRI reiterated its recommendation that measures be taken to provide asylum seekers with the possibility of working in Slovakia earlier than the current one year time-limit which runs from the beginning of the asylum procedure.[125]

Notes

[1] The stakeholders listed below have contributed information for this summary; the full texts of all original submissions are available at: www.ohchr.org.

Civil society

Individual submissions:

ADF International	Alliance Defending Freedom International, Geneva Switzerland;
GIEACPC	Global Initiative to End All Corporal Punishment of Children, London, United Kingdom of Great Britain and Northern Ireland;
ICAN	International Campaign to Abolish Nuclear Weapons, Geneva, Switzerland;
SNCHR	Slovak National Centre for Human Rights, Bratislava, Slovakia;

Joint submissions:

JS1	**Joint submission 1 submitted by**: the World Esperanto Youth Organisation, Rotterdam, The Netherlands and its Slovak Member Organization (SKEJ), and the European Youth Forum, Brussels, Belgium.

Regional intergovernmental organization(s):

CoE	The Council of Europe, Strasbourg, France; **Attachments**: (CoE-Commissioner) Report by Mr. Nils Muižnieks, Commissioner for Human Rights of the Council of Europe, following his visit to the Slovak Republic from 15 to 19 June 2015, Strasbourg, CommDH (2015) 21; (CoE-Commissioner's Press Release 2018) Press release following a visit of the Commissioner for Human Rights to the Slovak Republic in June 2018 entitled Slovak Republic: adopt a bolder approach to ensure inclusive education and strengthen the safety of journalists, Bratislava, 16 March 2018;

	(CoE-ECRI) European Commission against Racism and Intolerance report on Slovakia, adopted on 19 June 2014, CRI (2014) 37; (CoE-ECRI Conclusions) European Commission against Racism and Intolerance's conclusions on the implementation of the recommendations in respect of the Slovak Republic subject to interim follow-up, adopted on 24 March 2017, CRI (2017) 24; (CoE-GRETA) - Group of Experts on Action against Trafficking in Human Beings, Report concerning the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by the Slovak Republic, Second Evaluation Round, Strasbourg, adopted on 3 July 2015; GRETA (2015) 21; (CoE-CP) Committee of the Parties to the Council of Europe Convention on Action against Trafficking in Human Beings, Recommendation CP (2015) 16 on the Implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by the Slovak Republic, adopted on 30 November 2015; (CoE-ACFC) Advisory Committee on the Framework Convention For The Protection Of National Minorities, Strasbourg, Fourth Opinion on the Slovak Republic adopted on 3 December, 2014 ACFC/OP/II (2014) 004; (CoE-CM Resolution) Committee of Ministers, Resolution CM/ResCMN (2016)6 on the implementation of the Framework Convention for the Protection of National Minorities by the Slovak Republic, adopted on 13 April 2016; (CoE-ECRML) Report of the Committee of Experts on the application of the European Charter for the Regional and Minorities Languages, Fourth Monitoring Cycle, Strasbourg, adopted on 4 November, 2015 ECRML (2016) 2; (CoE-CM Recommendation) Committee of Ministers, Recommendation CM/RecChl (2016)2 of the Committee of Ministers on the application of the European Charter for Regional or Minority Languages by the Slovak Republic, adopted on 27 April 2016; (CoE-GRECO) Second Compliance Report on the Slovak Republic, Fourth Round Evaluation, Corruption Prevention of members of parliament, judges and prosecutors, adopted by the Group of States against Corruption on 18 October, 2017, GrecoRC4 (2017) 19;
EU-FRA	European Union Agency for Fundamental Rights, Vienna, Austria;
OSCE/ODIHR	Office for Democratic Institutions and Human Rights of the Organisation for Security and Co-operation in Europe, Warsaw, Poland; **Attachment**: (The 2016 Elections Report: OSCE/ODIHR Election Assessment Mission Final Report, Parliamentary Elections on 5 March, 2016, Warsaw, 22 April, 2016.

[2] For relevant recommendations see A/HRC/26/12, paras. 110.1-110.6, 110.11, 110.99.
[3] SNCHR, para. 1.2.
[4] SNCHR, para. 2.2. See also CoE-Commissioner, para. 36.
[5] SNCHR, para. 2.1.
[6] CoE-Commissioner, para. 36.
[7] CoE-Commissioner, para. 36.
[8] ICAN, p. 1.
[9] For relevant recommendations see A/HRC/26/12, paras. 110.12 -110.20, 110.23 – 110.27 and 11.30.
[10] CoE-ECRI Conclusions, pp. 5-6. See also CoE-Commissioner, para. 17.
[11] SNCHR, para. 3.1.
[12] SNCHR, para. 3.1.

[13] CoE CM Resolution, p. 2 and CoE-ACFC, para. 21 and p. 31. See also CoE-ECRI, paras. 36 and 120.
[14] CoE-Commissioner, para. 37. See also CoE-ECRI, para. 120, CoE CM Resolution, p. 2, CoE-ACFC, para. 21and SNCHR, para. 3.1.
[15] SNCHR, para. 1.2. See also EE-FRA, p. 10.
[16] SNCHR, para. 1.2.
[17] CoE-Commissioner, paras. 5, 6 and 8.
[18] For relevant recommendations see A/HRC/26/12, paras. 110.28, 110.29, 110.36 -110.70, 110.92 - 110.95, 110.97, 110.98, 110.102.
[19] CoE-Commissioner, para. 54.
[20] JS1, p.1.
[21] CoE-ECRI, p. 9.
[22] CoE-ECRI, p. 9 and paras 4 and 9.
[23] CoE-ECRI, paras. 8 and 10.
[24] CoE CM Resolution, p. 1 and CoE-ACFC, p. 31.
[25] CoE-Commissioner, para. 104.
[26] CoE-ECRI, p. 9. See also paras. 44-46.
[27] SNCHR, para. 4.2.
[28] CoE-ECRI, para. 47.
[29] SNCHR, para. 4.2.
[30] CoE-ECRI, p. 9. See also CoE-ECRI, paras. 44, 49, 54 and 64 and JS1, p. 1.
[31] SNCHR, para. 4.2.
[32] CoE-Commissioner, para. 103.
[33] CoE CM Resolution, p. 2 and CoE-ACFC, p. 31. See also CoE-Commissioner, para. 102.
[34] SNCHR, para. 4.2.
[35] CoE-Commissioner, paras. 57 and 105.
[36] CoE-ECRI, p. 10 and para. 43. See also CoE-Commissioner, paras. 57 and 105.
[37] CoE-ECRI Conclusions, p. 5.
[38] CoE-Commissioner, para. 183.
[39] CoE-Commissioner, para. 187.
[40] CoE-Commissioner, para. 187. See also EU-FRA, pp. 16-17.
[41] CoE-Commissioner, para. 188.
[42] CoE-ECRI, p. 10.
[43] CoE-ECRI, para. 143. See also EU-FRA, pp. 17-18.
[44] CoE-Commissioner, para. 186. See also EU-FRA, pp. 17-18.
[45] CoE-Commissioner, para. 185.
[46] SNCHR, para. 3.2.
[47] SNCHR, para. 3.2.
[48] SNCHR, para. 3.2.
[49] For relevant recommendations see A/HRC/26/12/Add.1, paras. 110.57 -110-60, 110.94, 110. 96.
[50] CoE-Commissioner, paras. 106 -107.
[51] CoE-Commissioner, para. 108.
[52] For relevant recommendations see A/HRC/26/12/Add.1, paras. 110.87-110.91, 110.99, 110.100.
[53] CoE-GRECO, para. 83.
[54] SNCHR, para. 2.2.
[55] The 2016 Elections Report, p. 12.
[56] OSCE/ODIHR, p. 3 and the 2016 Elections Report, p. 17.
[57] CoE, p. 4 and CoE-Commissioner's Press Release 2018.
[58] CoE-Commissioner's Press Release 2018.
[59] ADF International, paras. 4-6.
[60] ADF International, para. 24.
[61] OSCE/ODIHR, p. 2.
[62] OSCE/ODIHR, pp. 2-3 and the 2016 Elections Report, pp. 17 and 18.
[63] For relevant recommendations see A/HRC/26/12/Add.1, paras. 110.74-110.84.
[64] CoE-GRETA, paras. 63 and 68.
[65] CoE-CP Recommendations, para. 2 and CoE-GRETA, paras. 119 and 169.
[66] CoE-CP Recommendations, para. 2 and CoE-GRETA, para. 161.
[67] CoE-CP Recommendations, para. 2 and CoE-GRETA, para. 169.
[68] CoE-GRETA, para. 108.
[69] CoE-CP Recommendations, para. 2 and CoE-GRETA, para. 139.
[70] For relevant recommendations see 110.21 and 110.114.
[71] CoE, p. 3 and CoE-Commissioner's Press Release 2018.
[72] CoE-Commissioner's Press Release 2018 and CoE, p. 3.

[73] CoE, p. 3 and CoE-Commissioner's Press Release 2018.
[74] CoE-Commissioner, para. 28.
[75] CoE-Commissioner, paras. 39 and 41.
[76] For relevant recommendations see A/HRC/26/12, paras. 110.32-110.35, 110.71, 110.104, 110.105.
[77] SNCHR, para. 2.1. See also EU-FRA, p. 9.
[78] JS1, p. 3.
[79] For relevant recommendations see A/HRC/26/12/Add.1, para. 110.72 and 110.73.
[80] For the text of the recommendations see A/HRC/26/12/Add.1, para. 110.72 (Estonia) and 110.73 (Portugal).
[81] GIEACPC, paras. 1.1-1.3 and para. 2.
[82] For relevant recommendations see A/HRC/26/12, paras. 110.115.
[83] CoE-Commissioner, para. 149.
[84] CoE-Commissioner, para. 150.
[85] CoE-Commissioner, paras. 154 - 157.
[86] CoE-Commissioner, para. 153.
[87] CoE-Commissioner, paras. 142 and 144.
[88] CoE-Commissioner, paras. 159 - 160.
[89] For relevant recommendations see 110.102, 110.21, 110.47, 110.50-110.56, 110.116-110.144 and 110.145.
[90] CoE CM Resolution, p. 1 and CoE-ACFC, p. 31.
[91] CoE-ECRML, para. J, para. 89.
[92] CoE CM Resolution, p. 2 and CoE-ACFC, p. 32.
[93] CoE-ECRML, para. 7 and para. E, p. 89.
[94] CoE CM Resolution, p. 2 and CoE-ACFC, p. 32. See also CoE CM Recommendations, p. 1. See also JS1, pp. 2-3.
[95] CoE-ECRML, para. 4.
[96] CoE-ECRML, paras. C and H, p. 89. See also para. 5.
[97] CoE-ECRML, para. 9.
[98] CoE CM Resolution, p. 2 and CoE-ACFC, p. 32. See also CoE CM Recommendations, p. 1.
[99] CoE-ACFC, para. 25.
[100] SNCHR, para. 4.1. See also EU-FRA, p. 11 and JS1, p. 1.
[101] JS1, p.3.
[102] CoE CM Resolution, p. 1 and CoE-ACFC, p. 31.
[103] CoE-Commissioner, para. 102.
[104] CoE-Commissioner, paras. 81 and 82.
[105] SNCHR, para. 4.1, JS1, p.1 and EU-FRA, pp. 4, 5 and 8.
[106] CoE CM Resolution, p. 1 and CoE-ACFC, p. 31.
[107] CoE, p. 4 and CoE-Commissioner's Press Release 2018.
[108] CoE-Commissioner, paras. 112 and 113.
[109] CoE-ECRI, para. 132.
[110] SNCHR, para. 4.1. See also EU-FRA, p. 5.
[111] CoE-Commissioner, para. 117. See also CoE-ECRI, paras. 98-100.
[112] CoE-Commissioner, para. 96.
[113] SNCHR, para. 4.1. See also EU-FRA, p. 4.
[114] CoE-Commissioner, para. 119. See also CoE-ECRI, para. 98.
[115] SNCHR, para. 4.1.
[116] CoE-Commissioner, para. 118. See also CoE-ACFC, para. 87 and CoE-ECRI, para. 101.
[117] SNCHR, para. 4.1.
[118] CoE-Commissioner, para. 119.
[119] CoE-ECRI, para. 102.
[120] CoE-ACFC, para. 88.
[121] CoE-ECRI, pp. 9-10.
[122] CoE CM Resolution, p. 2 and CoE-ACFC, p. 32.
[123] For relevant recommendations see A/HRC/26/12, paras 110.45 and 110.46.
[124] CoE-ECRI, para. 106.
[125] CoE-ECRI, para. 109.